

STATE OF KANSAS

2022 SESSION LAWS OF KANSAS VOL. 1

INCLUDES 2021 SPECIAL SESSION

[Prepared in accordance with K.S.A. 45-310]

PASSED DURING THE 2021 SPECIAL SESSION AND
THE 2022 REGULAR SESSION OF THE LEGISLATURE OF
THE STATE OF KANSAS

Date of Publication of this Volume
July 1, 2022

Publisher's Note:

These volumes consist of two separate sections. The first section contains information from the 2021 Special Session of the Kansas Legislature. The second section contains information from the 2022 Session of the Kansas Legislature. A separate index was compiled for each session.

AUTHENTICATION

STATE OF KANSAS OFFICE OF SECRETARY OF STATE

I, Scott Schwab, Secretary of State of the state of Kansas, do hereby certify that the printed acts contained in this volume are true and correct copies of enrolled laws or resolutions which were passed during the 2021 special session of the Legislature of the State of Kansas, begun on the 22nd day of November, AD 2021, and concluded on the 22nd day of November, AD 2021; and I further certify that all laws contained in this volume pertaining to the 2021 special session which took effect and went into force on and after publication in the *Kansas Register* were so published (on the date thereto annexed) as provided by law.

Given under my hand and seal this 1st day of July, AD 2022.

(SEAL)

SCOTT SCHWAB
Secretary of State

AUTHENTICATION

STATE OF KANSAS OFFICE OF SECRETARY OF STATE

I, Scott Schwab, Secretary of State of the state of Kansas, do hereby certify that the printed acts contained in this volume are true and correct copies of enrolled laws or resolutions which were passed during the 2022 regular session of the Legislature of the State of Kansas, begun on the 10th day of January, AD 2022, and concluded on the 23rd day of May, AD 2022; and I further certify that all laws contained in this volume which took effect and went into force on and after publication in the *Kansas Register* were so published (on the date thereto annexed) as provided by law; and I further certify that all laws contained in this volume will take effect and be in force on and after the 1st day of July, AD 2022, except when otherwise provided.

Given under my hand and seal this 1st day of July, AD 2022.

(SEAL)

SCOTT SCHWAB
Secretary of State

EXPLANATORY NOTES

Material added to an existing section of the statute is printed in italic type. Material deleted from an existing section of the statute is printed in canceled type.

In bills which contain entirely new sections together with amendments to existing sections, the new sections are noted with the word “new” at the beginning of such sections.

An enrolled bill which is new in its entirety is noted with an asterisk (*) by the bill number and is printed in its original form.

Approval and publication dates are included.

Chapter numbers are assigned chronologically, based on the date the bill is signed by the governor. The bill index, subject index, and list of statutes repealed or amended will assist you in locating bills of interest.

NOTICE

The price for the Session Laws is set by the Secretary of State in accordance with state law. Additional copies of this publication may be obtained from:

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OFFICIAL DIRECTORY

ELECTIVE STATE OFFICERS

<i>Office</i>	<i>Name</i>	<i>Residence</i>	<i>Party</i>
Governor	Laura Kelly	Topeka	Dem.
Lieutenant Governor	David Toland	Iola	Dem.
Secretary of State	Scott Schwab	Olathe	Rep.
State Treasurer	Lynn W. Rogers	Wichita	Dem.
Attorney General	Derek Schmidt	Independence	Rep.
Commissioner of Insurance	Vicki Schmidt	Topeka	Rep.

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<i>Dist.</i>	<i>Name and residence</i>	<i>Dist.</i>	<i>Name and residence</i>
1	Janet Waugh , Kansas City	6	Dr. Deena Horst , Salina
2	Melanie Haas , Overland Park	7	Ben Jones , Sterling
3	Michelle Dombrosky , Olathe	8	Betty J. Arnold , Wichita
4	Ann E. Mah , Topeka	9	Jim Porter , Fredonia
5	Jean Clifford , Garden City	10	Jim McNiece , Wichita

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<i>Name and residence</i>	<i>Party</i>	<i>Term</i>
Roger Marshall, MD , Great Bend	Republican	term expires Jan. 3, 2027
Jerry Moran , Hays	Republican	term expires Jan. 3, 2023

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(Terms expire January 3, 2023)

<i>District</i>	<i>Name</i>	<i>Residence</i>	<i>Party</i>
First	Tracey Mann	Salina	Rep.
Second	Jake LaTurner	Topeka	Rep.
Third	Sharice Davids	Roeland Park	Dem.
Fourth	Ron Estes	Wichita	Rep.

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<i>Name and residence</i>	<i>Party</i>	<i>Dist.</i>
Alley, Larry W. , 517 Quail Nest Rd., Winfield 67156.....	Rep.	32
Baumgardner, Molly , 29467 Masters Ct., Louisburg 66053.....	Rep.	37
Billinger, Richard (Rick) , Box 594, Goodland 67735.....	Rep.	40
Bowers, Elaine , 1326 N. 150th Rd., Concordia 66901.....	Rep.	36
Claeys, J.R. , 2157 Redhawk Ln., Salina 67401	Rep.	24
Corson, Ethan , PO Box 8296, Prairie Village 66208	Dem.	7
Dietrich, Brenda S. , 6110 SW 38th Terr., Topeka 66610.....	Rep.	20
Doll, John , 2927 Cliff Pl., Garden City 67846.....	Rep.	39
Erickson, Renee , 26 N. Cypress Dr., Wichita 67206.....	Rep.	30
Fagg, Michael A. , 1810 Terrace Dr., El Dorado 67042.....	Rep.	14
Faust Goudeau, Oletha , PO Box 20335, Wichita 67208.....	Dem.	29
Francisco, Marci , 1101 Ohio, Lawrence 66044.....	Dem.	2
Gossage, Beverly , 9325 Evening Star Terr., Eudora 66025.....	Rep.	9
Haley, David , 936 Cleveland Ave., Kansas City 66101.....	Dem.	4
Hawk, Tom , 2600 Woodhaven Ct., Manhattan 66502.....	Dem.	22
Hilderbrand, Richard , 1116 Military Ave., Baxter Springs 66713.....	Rep.	13
Holland, Tom , 961 E. 1600 Rd., Baldwin City 66006	Dem.	3
Holscher, Cindy , Overland Park	Dem.	8
Kerschen, Dan , 645 S. 263 West, Garden Plain 67050.....	Rep.	26
Kloos, Rick , Berryton.....	Rep.	19
Longbine, Jeff , 2801 Lakeridge Rd., Emporia 66801	Rep.	17
Masterson, Ty , 1539 Phyllis Ln., Andover 67002.....	Rep.	16
McGinn, Carolyn , PO Box A, Sedgwick 67135	Rep.	31
Olson, Rob , 15944 S. Clairborne St., Olathe 66062.....	Rep.	23
O'Shea, Kristen , 1010 NW 34th St., Topeka 66618	Rep.	18
Peck, Virgil , PO Box 299, Havana 67374.....	Rep.	15
Petersen, Mike , 2608 S. Southeast Dr., Wichita 67216.....	Rep.	28
Pettey, Pat , 5316 Lakewood St., Kansas City 66106.....	Dem.	6
Pittman, Jeff , 1108 S. Broadway, Leavenworth 66048.....	Dem.	5
Pyle, Dennis , 2979 Kingfisher Rd., Hiawatha 66434	Rep.	1
Ryckman Sr., Ronald , 503 N. Cedar St., Meade 67864.....	Rep.	38
Steffen, Mark , 3500 N. Mayfield Rd., Hutchinson 67502	Rep.	34
Straub, Alicia , 401 S. Kennedy Ave., Ellinwood 67526.....	Rep.	33
Suellentrop, Gene , 6813 W. Northwind Cir., Wichita 67205.....	Rep.	27
Sykes, Dinah H. , 10227 Theden Cir., Lenexa 66220	Dem.	21
Thompson, Mike , 4923 Constance St., Shawnee 66216	Rep.	10
Tyson, Caryn , PO Box 191, Parker 66072	Rep.	12
Ware, Mary , 1444 N. Perry, Wichita 67203.....	Dem.	25
Warren, Kellie , 14505 Falmouth St., Leawood 66224.....	Rep.	11
Wilborn, Richard E. , 1504 Heritage Pl., McPherson 67460	Rep.	35

HOUSE OF REPRESENTATIVES

<i>Name and residence</i>	<i>Party</i>	<i>Dist.</i>
Alcala, John , 520 NE Lake St., Topeka 66616.....	Dem.	57
Amyx, Mike , 501 Lawrence Ave., Lawrence 66049.....	Dem.	45
Anderson, Avery , PO Box 305, Newton 67114.....	Rep.	72
Arnberger, Tory Marie , PO Box 103, Great Bend 67530.....	Rep.	112
Awerkamp, Francis , 807 W. Linn St., St. Marys 66536	Rep.	61
Baker, Dave , 278 Lake Rd., Council Grove 66846.....	Rep.	68
Ballard, Barbara W. , 1532 Alvarado Dr., Lawrence 66047	Dem.	44
Barker, John E. , 103 Wassinger Ave., Abilene 67410.....	Rep.	70
Bergkamp, Brian , Wichita 67235	Rep.	93
Bergquist, Emil , 6430 N. Hydraulic, Park City 67219	Rep.	91
Blex, Doug , 3131 CR 2600, Independence 67301.....	Rep.	12
Borjon, Jesse , 5326 SW 40th Terr., Topeka 66610.....	Rep.	52
Burris, Jesse , 1545 E. 119th St., Mulvane 67110	Rep.	82
Burroughs, Tom , 3131 S. 73rd Terr., Kansas City 66106	Dem.	33
Byers, Stephanie , 119 S. Chautauqua Ave., Wichita 67211	Dem.	86
Carlin, Sydney , 1650 Sunnyslope Ln., Manhattan 66502.....	Dem.	66
Carlson, Suzi , 1741 Berglund Dr., Clay Center 67432	Rep.	64
Carmichael, John , 1475 N. Lieunett, Wichita 67203	Dem.	92
*Carpenter, Blake , 1300 E. Meadowlark Blvd., Apt. 2-203, Derby 67037	Rep.	81
Carpenter, Will , 6965 SW 18th, El Dorado 67042	Rep.	75
Clark, Lonnie G. , 1221 Country Club Ln., Junction City 66441	Rep.	65
Clayton, Stephanie , 9825 Woodson Dr., Overland Park 66207.....	Dem.	19
Clifford, William , 102 Drury Ln., Garden City 67846.....	Rep.	122
Coleman, Aaron , 1316 S. 52nd St., Kansas City 66106	ind.	37
Collins, Ken , 102 E. 1st St., Mulberry 66756.....	Rep.	2
Concannon, Susan , 921 N. Mill St., Beloit 67420	Rep.	107
Corbet, Ken , 10351 SW 61st St., Topeka 66610	Rep.	54
Croft, Chris , 8909 W. 148th Terr., Overland Park 66221	Rep.	8
Curtis, Pam , 322 N. 16th St., Kansas City 66102.....	Dem.	32
Delperdang, Leo G. , 2103 N. Pintail St., Wichita 67235	Rep.	94
Dodson, Michael L. , 4109 Wellington Dr., Manhattan 66503.....	Rep.	67
Donohoe, Owen , 6265 Arapahoe St., Shawnee 66226.....	Rep.	39
Ellis, Ronald B. , 9199 K-4 Hwy., Meriden 66512.....	Rep.	47
Eplee, John R. , 163 Deer Run, Atchison 66002	Rep.	63
Esau, Charlotte , 11702 S. Winchester St., Olathe 66061.....	Rep.	14
Estes, Susan , PO Box 781244, Wichita 67278	Rep.	87
Fairchild, Brett , 150 NW 40th St., St. John 67576	Rep.	113
Featherston, Linda , 11007 W. 100th St., Overland Park 66214.....	Dem.	16
Finch, Blaine , 5 SW Fairview Dr., Ottawa 66067	Rep.	59
Finney, Gail , 1754 N. Madison Ave., Wichita 67214.....	Dem.	84
Francis, Shannon , 1501 Tucker Ct., Liberal 67901	Rep.	125
French, David , 950 Holiday Dr., Lansing 66043.....	Rep.	40
Garber, Randy , 2424 Timberline Terr., Sabetha 66534	Rep.	62
Gartner, Jim , 928 SW Woodbridge Ct., Topeka 66606	Dem.	53
Haswood, Christina , PO Box 3083, Lawrence 66046.....	Dem.	10
Hawkins, Daniel , 9406 Harvest Ln., Wichita 67212.....	Rep.	100
Helgersson, Henry , 12 E. Peach Tree Ln., Eastborough 67207	Dem.	83

<i>Name and residence</i>	<i>Party</i>	<i>Dist.</i>
Helmer, Cheryl , 1066 E. 130th Ave. North, Mulvane 67110	Rep.	79
Henderson, Broderick , 2710 N. 8th St., Kansas City 66101	Dem.	35
Highberger, Dennis (Boog) , 1024 New York, Lawrence 66044	Dem.	46
Highland, Ron , 27487 Wells Creek Rd., Wamego 66547	Rep.	51
Hoffman, Kyle D. , 1318 Avenue T, Coldwater 67029	Rep.	116
Hoheisel, Nick J. , 3130 S. Richmond, Wichita 67217	Rep.	97
Houser, Michael , 6891 SW 10th St., Columbus 66725	Rep.	1
Howe, Steven K. , Salina	Rep.	71
*Howell, Leah (Interim) , 125 E. Buckthorn, Derby 67037	Rep.	81
Howerton, Cyndi , 1400 E. 59th Ct. S, Wichita 67216	Rep.	98
Hoye, Jo Ella , 8517 Alden Ln., Lenexa 66215	Dem.	17
Huebert, Steve , 619 N. Birch, Valley Center 67147	Rep.	90
Humphries, Susan , 8 Sagebrush St., Wichita 67230	Rep.	99
Jacobs, Trevor , 1927 Locust Rd., Fort Scott 66701	Rep.	4
Johnson, Steven C. , 10197 S. Hopkins Rd., Assaria 67416	Rep.	108
Johnson, Timothy , 15958 151st St., Bonner Springs 66012	Rep.	38
Kelly, Jim , 309 S. 5th St., Independence 67301	Rep.	11
Kessler, Tom , 4560 S. Washington, Wichita 67216	Rep.	96
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Landwehr, Brenda K. , 2611 N. Bayside Ct., Wichita 67205	Rep.	105
Lee-Hahn, Tatum , PO Box 382, Ness City 67560	Rep.	117
Long, Marty , 817 N. Joyce St., Ulysses 67880	Rep.	124
Lynn, Megan , 14430 W. 139th Pl., Olathe 66062	Rep.	49
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Meyer, Heather , PO Box 13346, Overland Park 66282	Dem.	29
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Poetter, Samantha M. , 16755 W. 299th St., Paola 66071	Rep.	6
Poskin, Mari-Lynn , 12924 Howe Dr., Leawood 66209	Dem.	20
Probst, Jason , PO Box 3262, Hutchinson 67504	Dem.	102
Proctor, Pat , 624 Kickapoo St., Leavenworth 66048	Rep.	41
Proehl, Rich , 510 Pine Ridge Rd., Parsons 67357	Rep.	7
Rahjes, Ken , 1798 E. 900 Rd., Agra 67621	Rep.	110
Ralph, Brad , 2103 6th St., Dodge City 67801	Rep.	119
Resman, John , 434 N. Persimmon Dr., Olathe 66061	Rep.	121
Rhiley, Bill , PO Box 721, Arkansas City 67005	Rep.	80
Ruiz, Louis E. , 2914 W. 46th Ave., Kansas City 66103	Dem.	31

<i>Name and residence</i>	<i>Party</i>	<i>Dist.</i>
Ruiz, Susan , 7306 Bond St., Shawnee 66203	Dem.	23
Ryckman Jr., Ron , 14234 W. 158th St., Olathe 66062	Rep.	78
Samsel, Mark , 508 E. 4th St., Wellsville 66092	Rep.	5
Sanders, Clarke , 2096 Leland Way, Salina 67401	Rep.	69
Sawyer, Tom , 1041 S. Elizabeth St., Wichita 67213	Dem.	95
Schmidt, Chuck , 1922 S. Michelle Ct., Wichita 67207	Rep.	88
Schreiber, Mark , 1722 Yucca Ln., Emporia 66801	Rep.	60
Seiwert, Joe , 1111 E. Boundary Rd., Pretty Prairie 67570	Rep.	101
Smith, Adam , 1970 Road 3, Weskan 67762	Rep.	120
Smith, Charles , 2112 W. 4th, Pittsburg 66762	Rep.	3
Smith, Eric L. , 627 Kennebec St., Burlington 66839	Rep.	76
Stogsdill, Jerry W. , 4414 Tomahawk Rd., Prairie Village 66208	Dem.	21
Sutton, William M. , 215 W. Park St., Gardner 66030	Rep.	43
Tarwater Sr., Sean E. , 16006 Meadow Ln., Stilwell 66085	Rep.	27
Thomas, Adam , 16272 S. Sunset St., Olathe 66062	Rep.	26
Thompson, Kent L. , 1816 2800 St., LaHarpe 66751	Rep.	9
Toplikar, John Matthew , 507 E. Spruce St., Olathe 66061	Rep.	15
Turner, Carl , 13001 El Monte St., Leawood 66209	Rep.	28
Vaughn, Lindsay , 8227 Santa Fe Dr., Overland Park 66204	Dem.	22
Victors, Dr. Ponka-We , PO Box 48081, Wichita 67201	Dem.	103
Waggoner, Paul , PO Box 3184, Hutchinson 67504	Rep.	104
Wasinger, Barb , PO Box 522, Hays 67601	Rep.	111
Waymaster, Troy L. , 3528 192nd St., Bunker Hill 67626	Rep.	109
Weigel, Virgil , 1900 SW Briarwood Dr., Topeka 66611	Dem.	56
Wheeler Jr., John P. , 902 Anderson St., Garden City 67846	Rep.	123
Williams, Kristey , 506 Stone Lake Ct., Augusta 67010	Rep.	77
Winn, PhD, Valdenia C. , PO Box 12327, Kansas City 66112	Dem.	34
Wolfe Moore, Kathy , 3209 N. 131st St., Kansas City 66109	Dem.	36
Woodard, Brandon , 9051 Renner Blvd., Apt. 3002, Lenexa 66219	Dem.	30
Xu, Rui , 4724 Belinder Ave., Westwood 66205	Dem.	25

* Blake Carpenter participated in the 2021 special session. Leah Howell served as his interim during the 2022 regular session while Rep. Carpenter served temporary military deployment.

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Larry Alley Majority Leader
Dinah SykesMinority Leader

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Blaine FinchSpeaker Pro Tem
Dan HawkinsMajority Leader
Tom SawyerMinority Leader

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Vice President of the Senate: **Rick Wilborn**, McPherson
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Pearlie D. Shupe

2021 SPECIAL SESSION LAWS OF KANSAS

CHAPTER 1

HOUSE BILL No. 2001*

AN ACT concerning employer COVID-19 vaccine requirements; requiring exemptions; providing for waiver requests; authorizing a complaint and investigation process with the secretary of labor for violations related to exemptions; enforcement actions by the attorney general and civil penalties to be imposed by a court for such violations; relating to employment security law; providing exceptions to benefit eligibility conditions and disqualification conditions based on refusal to comply with COVID-19 vaccine requirements; retroactive provision of benefits when denied on the basis of discharge or suspension for misconduct as the result of refusal to comply with COVID-19 vaccine requirements; repealing certain sections upon a final order holding certain provisions unconstitutional.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) Notwithstanding any provision of law to the contrary, if an employer implements a COVID-19 vaccine requirement, the employer shall exempt an employee from such requirement, without punitive action, if the employee submits a written waiver request to the employer stating that complying with such requirement would:

(1) Endanger the life or health of the employee or an individual who resides with the employee, as evidenced by an accompanying written statement signed by a physician or another person who performs acts pursuant to practice agreements, protocols or at the order, direction or delegation of a physician; or

(2) violate sincerely held religious beliefs of the employee, as evidenced by an accompanying written statement signed by the employee.

(b) An employer shall grant an exemption requested in accordance with this section based on sincerely held religious beliefs without inquiring into the sincerity of the request.

(c) (1) An employee aggrieved by a violation of this section may file a complaint with the secretary of labor alleging that an employer failed to offer an exemption, improperly denied an exemption request, took punitive action against the employee or committed any other violation of this section.

(2) (A) The secretary of labor shall promptly commence an investigation of each complaint filed pursuant to this subsection. The secretary

shall complete such investigation and issue a final order within 60 calendar days after the filing of the complaint. At a minimum, the investigation shall determine whether:

- (i) The employer imposed a COVID-19 vaccine requirement;
- (ii) the employee submitted a written waiver request in accordance with this section; and
- (iii) the employer committed any violation of this section.

(B) Upon completing the investigation, the secretary of labor shall issue an order containing findings and conclusions as to whether the employer violated this section and provide such order to the employee and the employer. Such order is a final order for purposes of judicial review and shall state the right of the employee or the employer to appeal as provided in the Kansas judicial review act.

(C) If the secretary of labor issues a final order finding that an employer violated this section, the secretary shall issue an order containing such findings and provide such order to the employee, the employer and the attorney general.

(3) (A) Except as provided in paragraph (3)(B), upon receipt of an order from the secretary of labor pursuant to paragraph (2), the attorney general shall secure enforcement of such order by filing an action in an appropriate district court to impose civil penalties.

(B) The attorney general shall not file a civil action against an employer if the employer reinstates the terminated employee with back pay to the date that the complaint was received by the secretary of labor under this subsection.

(C) In an action filed pursuant to this subsection, the court may impose a civil penalty not to exceed:

- (i) \$10,000 per violation for an employer with fewer than 100 employees; or
- (ii) \$50,000 per violation for an employer with 100 or more employees.

(D) In determining the amount of the civil penalty for a violation, the court may consider the following factors:

- (i) Whether the employer knowingly and willfully violated this section;
- (ii) whether the employer has shown good faith in attempting to comply with this section;
- (iii) whether the employer has taken action to correct the violation;
- (iv) whether the employer has been previously assessed a civil penalty for violating this section; and
- (v) any other mitigating or aggravating factor that fairness or due process requires.

(4) All civil penalties assessed and collected under this subsection shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such

remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the employment security fund, established by K.S.A. 44-712, and amendments thereto.

(d) As used in this section:

(1) “COVID-19 vaccine” means an immunization, vaccination or injection against disease caused by the novel coronavirus identified as SARS-CoV-2 or disease caused by a variant of the virus;

(2) “COVID-19 vaccine requirement” means that an employer:

(A) Requires an employee to receive a COVID-19 vaccine;

(B) requires an employee to provide documentation certifying receipt of a COVID-19 vaccine; or

(C) enforces a requirement described in subparagraph (A) or (B) that is imposed by the federal government or any other entity;

(3) “employee” means:

(A) An individual who is employed in this state for wages by an employer;

(B) an applicant for employment by an employer; or

(C) a noncompensated intern or apprentice for an employer;

(4) “employer” means any person in this state who employs one or more persons and includes the state of Kansas and all political subdivisions of the state;

(5) “person” means an individual, partnership, association, organization, corporation, legal representative, trustee, trustee in bankruptcy or receiver;

(6) “physician” means an individual licensed by the state board of healing arts to practice medicine and surgery;

(7) “punitive action” means any of the following actions related to the employee’s exemption request: Dismissal, demotion, transfer, reassignment, suspension, reprimand, warning of possible dismissal, withholding of work or assessing any monetary penalty or unreasonable charge; and

(8) “religious beliefs” includes, but is not limited to, theistic and non-theistic moral and ethical beliefs as to what is right and wrong that are sincerely held with the strength of traditional religious views.

Sec. 2. (a) An individual aggrieved by a violation of section 1, and amendments thereto, who has filed a claim for benefits under the employment security law and who is otherwise eligible for benefits under the employment security law shall not become ineligible for benefits pursuant to K.S.A. 44-705, and amendments thereto, or be disqualified from receiving benefits pursuant to K.S.A. 44-706, and amendments thereto, on the grounds that the claimant:

(1) Was discharged or suspended for misconduct if the employer’s conduct in discharging or suspending such claimant was a violation of section 1, and amendments thereto; or

(2) has declined to accept work that requires compliance with a COVID-19 vaccine requirement if the claimant has requested an exemption from the prospective employer in accordance with section 1, and amendments thereto, and such request was denied. In such case, such work for such claimant shall be deemed not to constitute suitable work for purposes of the employment security law.

(b) (1) Notwithstanding the time limitations of K.S.A. 44-709, and amendments thereto, the provisions of K.S.A. 44-706, and amendments thereto, or any other provision of the employment security law to the contrary, a claimant upon request shall be retroactively paid benefits for any week that the claimant would otherwise have been eligible for such benefits, if such claimant was disqualified from receiving such benefits during the period of September 9, 2021, through the effective date of this act on the grounds that the claimant was discharged or suspended for misconduct as the result of the claimant's refusal to comply with a COVID-19 vaccine requirement after the claimant requested an exemption or accommodation from such requirement provided by state or federal law and such request was denied.

(2) The secretary of labor shall independently review any claims denied during the period of September 9, 2021, through the effective date of this act to determine if the claimant was disqualified from receiving benefits on the grounds that the claimant was discharged or suspended for misconduct as the result of the claimant's refusal to comply with a COVID-19 vaccine requirement after the claimant requested an exemption or accommodation from such requirement provided by state or federal law and such request was denied. If the claimant has not requested retroactive payment of such benefits as provided by paragraph (1), the secretary shall retroactively pay benefits to such claimant for any week that the claimant would otherwise have been eligible for such benefits.

(3) The claimant or the employer may appeal an award or denial of benefits made pursuant to this section as provided in K.S.A. 44-709, and amendments thereto.

(4) The secretary of labor shall develop and implement procedures to enable claimants to retroactively substantiate and file claims under this subsection.

(c) Benefits awarded to a claimant who receives back pay pursuant to section 1(c), and amendments thereto, shall be subject to the repayment or benefit offset and other provisions of K.S.A. 44-706(s) and 44-719(d), and amendments thereto, if applicable.

(d) As used in this section:

(1) "COVID-19 vaccine requirement" means the same as in section 1, and amendments thereto; and

(2) all other terms mean the same as in the employment security law.

Sec. 3. (a) In the event that all or any portion of the provisions of section 1, and amendments thereto, are held to be unconstitutional by any court of competent jurisdiction, upon a final order, the attorney general shall certify to the secretary of state that such holding has occurred. Upon receipt of such certification, the secretary of state shall cause a notice of such certification to be published in the Kansas register.

(b) On and after the effective date of this act and upon the publication of the notice by the secretary of state in the Kansas register as provided by subsection (a), section 2, and amendments thereto, is hereby repealed.

(c) In the event that all or any portion of the provisions of section 2, and amendments thereto, are held to be unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of any other provision of section 1, and amendments thereto, and to this end the provisions of section 2, and amendments thereto, are severable.

Sec. 4. This act shall take effect and be in force from and after its publication in the Kansas register.

Approved November 23, 2021.

Published in the *Kansas Register* November 23, 2021.

CHAPTER 2

SENATE CONCURRENT RESOLUTION No. 1601

A CONCURRENT RESOLUTION informing the governor that the two houses of the legislature are duly organized and ready to receive communications.

Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein: That the Secretary of the Senate and the Chief Clerk of the House of Representatives be appointed to wait upon the governor and inform the governor that the two houses of the legislature are duly organized and are ready to receive any communications the governor may have to present.

Adopted by the House November 22, 2021.

Adopted by the Senate November 22, 2021.

CHAPTER 3

SENATE CONCURRENT RESOLUTION No. 1602

A CONCURRENT RESOLUTION relating to the 2021 special session of the legislature and providing for the adjournment thereof.

Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein: That the legislature shall adjourn sine die at the close of business of the daily session convened on November 22, 2021.

Adopted by the House November 22, 2021.

Adopted by the Senate November 22, 2021.

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2022 SESSION LAWS OF KANSAS

CHAPTER 1

HOUSE BILL No. 2477

AN ACT concerning governmental response to COVID-19; relating to health and healthcare; renewing provisions of law authorizing expanded practice by certain healthcare professionals; providing for exceptions thereto; suspending certain licensure and other requirements for adult care homes; extending the authority of the state board of healing arts to issue temporary emergency licenses; limiting the professions for which such licenses may be issued; amending K.S.A. 2021 Supp. 48-965 and 48-966 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. (a) Notwithstanding any provision of law to the contrary, the Kansas department for aging and disability services shall extend through the expiration of this section any renewal deadline for any occupational or professional license, certificate or registration issued by the Kansas department for aging and disability services.

(b) Notwithstanding any provision of law to the contrary, the Kansas department for aging and disability services may issue a temporary license, certification or registration to any person who was previously licensed, certified or registered by the Kansas department for aging and disability services, if:

(1) Such person was in good standing prior to the lapse of such license, certification or registration. As used in this paragraph, “in good standing” includes the possession of a license, certificate or registration that is subject to probation or non-disciplinary conditions, limitations or restrictions, but does not include a license, certificate or registration that is revoked, canceled or surrendered. If the records of the Kansas department for aging and disability services reflect that an individual has a prohibiting offense, such license, certificate or registration shall not be considered “in good standing.” Any license, certificate or registration that is subject to disciplinary conditions, limitations or restrictions shall remain subject to such conditions, limitations or restrictions; and

(2) such license, certificate or registration was issued on or after January 6, 2017.

(c) Notwithstanding any provision of law to the contrary, the Kansas department for aging and disability services shall extend through the expi-

ration of this section any deadline for continuing education requirements mandated by the Kansas Statutes Annotated, and amendments thereto, or any rule and regulation.

(d) Notwithstanding any provision of law to the contrary, the Kansas department for aging and disability services shall waive any late fee associated with any license, certificate or registration extended or issued under subsection (a) or (b).

(e) A temporary aide authorization may be issued for any person who receives minimum training within a nursing facility, as set forth by the Kansas department for aging and disability services. At a minimum, such facility shall ensure that any person with a temporary aide authorization is competent to perform and execute the duties of such position, including, but not limited to: Infection control; proper patient handling; and how to effectively assist with the performance of activities of daily living.

(f) A temporary authorization may be issued for a person who was not previously licensed, certified or registered by the state of Kansas or any other state. Individuals who may be served by a person holding such temporary authorization shall only include individuals who require minimal supervision or assistance with activities of daily living. A nursing facility shall ensure that any person with a temporary authorization is competent to perform and execute the duties of such position, including, but not limited to: Infection control; proper patient handling; and how to effectively assist with the performance of activities of daily living.

(g) (1) Notwithstanding any provision of law to the contrary, the secretary for aging and disability services may issue a provisional license pursuant to K.S.A. 39-929, and amendments thereto, to an adult care home that submits a checklist, on a form approved by the secretary, and a detailed plan for isolation and cohorting of residents in response to the COVID-19 pandemic. In approving such checklist and plan, the secretary may temporarily suspend standards, requirements and rules and regulations related to the physical environment, a change in bed capacity or a change in bed classification for such adult care home. Notwithstanding the provisions of K.S.A. 39-929, and amendments thereto, the secretary may issue a provisional license under this subsection without approval by the state fire marshal, if the secretary approves the adult care home's checklist and plan. A provisional license issued pursuant to this subsection shall remain valid through the expiration of this section.

(2) For any provisional license issued under K.S.A. 39-929, and amendments thereto, for reasons other than the isolation and cohorting of residents in response to the COVID-19 pandemic, all requirements of K.S.A. 39-929, and amendments thereto, shall remain in force and effect.

(h) As used in this section:

(1) “Adult care home” means the same as defined in K.S.A. 39-923, and amendments thereto.

(2) “Kansas department for aging and disability services” includes:

- (A) The Kansas department for aging and disability services;
- (B) any board, commission or other licensing authority under the jurisdiction of the Kansas department for aging and disability services; and
- (C) the board of adult care home administrators established pursuant to K.S.A. 65-3506, and amendments thereto.

(i) The provisions of this section shall expire on January 20, 2023.

Sec. 2. K.S.A. 2021 Supp. 48-965 is hereby amended to read as follows: 48-965. (a) Notwithstanding any statute to the contrary, the state board of healing arts may grant a temporary emergency license to practice any profession licensed, certified, registered or regulated by the board to an applicant with qualifications the board deems sufficient to protect public safety and welfare within the scope of professional practice authorized by the temporary emergency license for the purpose of preparing for, responding to or mitigating any effect of COVID-19.

(b) Notwithstanding any statute to the contrary, an applicant may practice in Kansas pursuant to a temporary emergency license upon submission of a non-resident healthcare provider certification form to the Kansas healthcare stabilization fund and without paying the surcharge required by K.S.A. 40-3404, and amendments thereto.

(c) *No temporary emergency license shall be issued to practice a profession unless such profession is required by law to be licensed, certified or registered in the state of Kansas.*

(d) This section shall expire on ~~March 31, 2022~~ January 20, 2023.

Sec. 3. K.S.A. 2021 Supp. 48-966 is hereby amended to read as follows: 48-966. (a) Notwithstanding the provisions of K.S.A. 65-28a08 and 65-28a09, and amendments thereto, or any other statute to the contrary, a licensed physician assistant may provide healthcare services appropriate to such physician assistant’s education, training and experience within a designated healthcare facility at which the physician assistant is employed or contracted to work as necessary to support the facility’s response to the COVID-19 pandemic without a written agreement with a supervising physician. Such physician assistant shall not be liable in any criminal prosecution, civil action or administrative proceeding arising out of such physician assistant’s lack of written agreement with a supervising physician.

(b) Notwithstanding the provisions of K.S.A. 65-1130, and amendments thereto, or any other statute to the contrary, a licensed advanced practice registered nurse may provide healthcare services appropriate to such advanced practice registered nurse’s education, training and experience within a designated healthcare facility at which the advanced practice registered nurse is employed or contracted to work as necessary to

support the facility's response to the COVID-19 pandemic without direction and supervision from a responsible physician. Such advanced practice registered nurse shall not be liable in any criminal prosecution, civil action or administrative proceeding arising out of such advanced practice registered nurse's lack of direction and supervision from a responsible physician.

(c) Notwithstanding the provisions of K.S.A. 65-1158, and amendments thereto, or any other statute to the contrary, a registered nurse anesthetist may provide healthcare services appropriate to such registered nurse anesthetist's education, training and experience within a designated healthcare facility at which the registered nurse anesthetist is employed or contracted to work as necessary to support the facility's response to the COVID-19 pandemic without direction and supervision from a physician. Such registered nurse anesthetist shall not be liable in any criminal prosecution, civil action or administrative proceeding arising out of such registered nurse anesthetist's lack of direction and supervision from a physician.

(d) Notwithstanding the provisions of K.S.A. 65-1113, and amendments thereto, or any other statute to the contrary:

(1) A registered professional nurse or licensed practical nurse may order the collection of throat or nasopharyngeal swab specimens from individuals suspected of being infected by COVID-19 for purposes of testing; and

(2) a licensed practical nurse may provide healthcare services appropriate to such licensed practical nurse's education, training and experience within a designated healthcare facility at which the licensed practical nurse is employed or contracted to work as necessary to support the facility's response to the COVID-19 pandemic without direction from a registered professional nurse. Such licensed practical nurse shall not be liable in any criminal prosecution, civil action or administrative proceeding arising out of such licensed practical nurse's lack of supervision from a registered professional nurse.

(e) Notwithstanding the provisions of K.S.A. 65-1626a, and amendments thereto, or any other statute to the contrary, a licensed pharmacist may provide care for routine health maintenance, chronic disease states or similar conditions appropriate to such pharmacist's education, training and experience within a designated healthcare facility at which the pharmacist is employed or contracted to work as necessary to support the facility's response to the COVID-19 pandemic without a collaborative practice agreement with a physician. Such pharmacist shall not be liable in any criminal prosecution, civil action or administrative proceeding arising out of such pharmacist's lack of collaborative practice agreement with a physician.

(f) Notwithstanding the provisions of K.S.A. 65-1115, 65-1116 and 65-1117, and amendments thereto, or any other statute to the contrary, a registered professional nurse or licensed practical nurse who holds a license that is exempt or inactive or whose license has lapsed within the past five years from the effective date of this act may provide healthcare services appropriate to the nurse's education, training and experience. Such registered professional nurse or licensed practical nurse shall not be liable in any criminal prosecution, civil action or administrative proceeding arising out of such nurse's exempt, inactive or lapsed license.

(g) Notwithstanding any other provision of law to the contrary, a designated healthcare facility may, as necessary to support the facility's response to the COVID-19 pandemic:

(1) Allow a student who is enrolled in a program to become a licensed, registered or certified healthcare professional to volunteer ~~for~~ to work within such facility in roles that are appropriate to such student's education, training and experience;

(2) allow a licensed, registered or certified healthcare professional or emergency medical personnel who is serving in the military in any duty status to volunteer or work within such facility in roles that are appropriate to such military service member's education, training and experience; and

(3) allow a medical student, physical therapist or emergency medical services provider to volunteer or work within such facility as a respiratory therapist extender under the supervision of a physician, respiratory therapist or advanced practice registered nurse. Such respiratory therapist extender may assist respiratory therapists and other healthcare professionals in the operation of ventilators and related devices and may provide other healthcare services appropriate to such respiratory therapist extender's education, training and experience, as determined by the facility in consultation with such facility's medical leadership.

(h) Notwithstanding any statute to the contrary, a healthcare professional licensed and in good standing in another state may practice such profession in the state of Kansas *for the purpose of preparing for, responding to or mitigating any effect of COVID-19*. For purposes of this subsection, a license that has been suspended or revoked or a licensee that is subject to pending license-related disciplinary action shall not be considered to be in good standing. Any license that is subject to limitation in another state shall be subject to the same limitation in the state of Kansas. Such healthcare professional shall not be liable in any criminal prosecution, civil action or administrative proceeding arising out of such healthcare professional's lack of licensure in the state of Kansas. *Nothing in this subsection shall be construed to authorize a healthcare professional to practice a profession that is not authorized by law in the state of Kansas. Within seven calendar days of initiating practice in Kansas, such*

healthcare professional shall notify the appropriate regulatory body in Kansas that such professional is practicing in Kansas pursuant to this subsection by submitting information on a form and in a manner prescribed by such regulatory body. Any healthcare professional practicing in Kansas pursuant to this subsection shall be:

(1) Subject to all rules and regulations applicable to the practice of the licensed profession in this state; and

(2) considered a licensee for the purposes of the applicable professional practice act administered by the applicable regulatory body.

(i) Notwithstanding any statute to the contrary, a designated healthcare facility may use a qualified volunteer or qualified personnel affiliated with any other designated healthcare facility as if such volunteer or personnel was affiliated with the facility using such volunteer or personnel, subject to any terms and conditions established by the secretary of health and environment.

(j) Notwithstanding any statute to the contrary, a healthcare professional may be licensed, certified or registered or may have such license, certification or registration reinstated within five years of lapse or renewed by the applicable licensing agency of the state of Kansas without satisfying the following conditions of licensure, certification or registration:

(1) An examination, if such examination's administration has been canceled while the state of disaster emergency proclamation issued by the governor in response to the COVID-19 pandemic is in effect this section is in force and effect;

(2) fingerprinting; and

(3) continuing education; and

(4) payment of a fee.

(k) Notwithstanding any statute to the contrary, a professional certification in basic life support, advanced cardiac life support or first aid shall remain valid if such professional certification is due to expire or be canceled while the state of disaster emergency proclamation issued by the governor in response to the COVID-19 pandemic is in effect this section is in force and effect.

(l) Notwithstanding any statute to the contrary, fingerprinting of any individual shall not be required as a condition of licensure and certification for any hospital, as defined in K.S.A. 65-425, and amendments thereto, adult care home, county medical care facility or psychiatric hospital.

(m) As used in this section:

(1) "Appropriate to such professional's education, training and experience," or words of like effect, shall be determined by the designated healthcare facility in consultation with such facility's medical leadership; and

(2) "designated healthcare facility" means:

(A) Entities listed in K.S.A. 40-3401(f), and amendments thereto;

- (B) state-owned surgical centers;
- (C) state-operated hospitals and veterans facilities;
- (D) entities used as surge capacity by any entity described in subparagraphs (A) through (C);
- (E) adult care homes; and
- (F) any other location specifically designated by the governor or the secretary of health and environment to exclusively treat patients for COVID-19.

(n) (1) *Notwithstanding the prior expiration of this section on March 31, 2021, the provisions of this section shall be in force and effect on and after the effective date of this act through January 20, 2023.*

(2) The provisions of this section shall expire on ~~March 31, 2021~~ *January 20, 2023.*

Sec. 4. K.S.A. 2021 Supp. 48-965 and 48-966 are hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its publication in the Kansas register.

Approved January 21, 2022.

Published in the *Kansas Register* January 21, 2022.

CHAPTER 2

Substitute for SENATE BILL No. 355

AN ACT concerning reapportionment; relating to congressional districts; providing for the reapportionment thereof; repealing K.S.A. 2021 Supp. 4-137 and 4-143.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) As used in sections 1 through 7, and amendments thereto, “voting district,” “tract,” “block group” or “block” means, respectively, a voting district (VTD), tract, block group or block identified on the official United States 2020 decennial census maps.

(b) Voting districts, tracts, block groups and blocks are referred to in sections 1 through 7, and amendments thereto, by the alphanumeric code by which they are identified on the official United States 2020 decennial census maps and data lists.

(c) The boundaries of counties, voting districts, tracts, block groups and blocks referred to in sections 1 through 7, and amendments thereto, are those boundaries as they exist and are identified on the official United States 2020 decennial census maps.

Sec. 2. (a) If a county, voting district, tract, block group or block is not included within a congressional district established by this act, such county, voting district, tract, block group or block shall be attached to the congressional district to which such county, voting district, tract, block group or block is contiguous and, if contiguous to more than one congressional district, such county, voting district, tract, block group or block shall be attached to the contiguous congressional district that has the least total population.

(b) If a county, voting district, tract, block group or block is included in two or more congressional districts established by this act, such county, voting district, tract, block group or block shall be attached to and become a part of the congressional district that has the least total population.

Sec. 3. The provisions of this act shall not affect the term of any representative to congress elected to represent a district at the general election of 2020 or the term of any successor to such representative serving for an unexpired term. All such representatives shall continue to serve the districts from which elected until the representatives elected from the congressional districts established by this act commence their terms of office in January of 2023.

Sec. 4. Congressional district 1 shall consist of all of Barton county; and all of Cheyenne county; and all of Clark county; and all of Clay county; and all of Cloud county; and all of Decatur county; and all of Dickinson county; and the following voting districts in Douglas county: (00007A), (000080), (000090), (00010A), (000110), (00012A), (000130), (000140), (000150),

(000160), (000170), (000180), (000190), (000200), (000210), (000220), (000230), (000240), (000250), (000260), (000270), (000280), (000290), (000300), (000310), (000320), (000330), (000340), (000350), (000370), (000380), (000400), (000450), (000460), (000470), (00048B), (00048D), (00050A), (00050C), (00052A), (000560), (00067B), (120020); and the following blocks in voting district (120030), tract 0001.00, block group 3, in Douglas county: block 003; and the following blocks in voting district (120030), tract 0002.01, block group 1, in Douglas county: block 000, block 004, block 020; and the following voting districts in Douglas county: (120040), (120050), (120060); and the following blocks in voting district (120080), tract 0006.03, block group 3, in Douglas county: block 002, block 025, block 026, block 027; and the following blocks in voting district (120080), tract 0015.00, block group 1, in Douglas county: block 079; and the following voting districts in Douglas county: (120090), (120100), (120110), (120120), (120130), (120140), (120150), (120170), (120210), (120220), (120230), (120240), (120250), (120260), (120270), (120280), (120300); and the following blocks in voting district (120320), tract 0015.00, block group 1, in Douglas county: block 002, block 004, block 011, block 062, block 063, block 064, block 065; and the following voting districts in Douglas county: (120350), (120360); and the following blocks in voting district (160750), tract 0014.00, block group 2, in Douglas county: block 030, block 033, block 034; and the following voting districts in Douglas county: (160760); and the following blocks in voting district (160770), tract 0002.01, block group 2, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 012, block 013, block 014, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 024; and the following blocks in voting district (160770), tract 0002.02, block group 4, in Douglas county: block 004, block 005, block 006, block 007; and the following blocks in voting district (160770), tract 0010.02, block group 2, in Douglas county: block 005; and the following blocks in voting district (160770), tract 0010.02, block group 3, in Douglas county: block 000; and the following voting districts in Douglas county: (160780), (18064A), (18066A), (18066B); and the following blocks in voting district (190050), tract 0006.03, block group 3, in Douglas county: block 043, block 048, block 049, block 050; and the following voting districts in Douglas county: (190060), (190070), (190080); and the following blocks in voting district (190090), tract 0009.02, block group 3, in Douglas county: block 018; and the following voting districts in Douglas county: (190100); and the following blocks in voting district (190110), tract 0014.00, block group 2, in Douglas county: block 109, block 110; and the following voting districts in Douglas county: (400030), (400040), (400080), (900040), (900050), (900060), (900070), (900080), (900090), (900100), (900120), (900130), (900140), (900170); and all of Ellis

county; and all of Ellsworth county; and all of Finney county; and all of Ford county; and all of Gove county; and all of Graham county; and all of Grant county; and all of Gray county; and all of Greeley county; and all of Hamilton county; and all of Haskell county; and all of Hodgeman county; and the following voting districts in Jackson county: (000010), (000020), (000030), (000040), (000050), (000060), (000070), (00008A), (00008B), (000090), (00010A), (00010B), (000110); and the following blocks in voting district (000120), tract 0826.00, block group 4, in Jackson county: block 080, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 133, block 134, block 135, block 136, block 137, block 139; and the following blocks in voting district (000120), tract 0827.00, block group 1, in Jackson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 016, block 017, block 018, block 019, block 020, block 021; and the following blocks in voting district (000120), tract 0828.00, block group 1, in Jackson county: block 126, block 127, block 128, block 179, block 180; and the following voting districts in Jackson county: (000130), (000150); and the following blocks in voting district (000160), tract 0826.00, block group 3, in Jackson county: block 065, block 066, block 067, block 071, block 077, block 078, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 116, block 118; and the following blocks in voting district (000160), tract 0826.00, block group 4, in Jackson county: block 131, block 132; and the following voting districts in Jackson county: (000170); and all of Jefferson county; and all of Jewell county; and all of Kearny county; and all of Lane county; and all of Lincoln county; and all of Logan county; and all of McPherson county; and all of Marshall county; and all of Meade county; and all of Mitchell county; and all of Morton county; and all of Ness county; and all of Norton county; and all of Osborne county; and all of Ottawa county; and the following voting districts in Pawnee county: (000010), (000030); and the following blocks in voting district (000070), tract 9702.00, block group 1, in Pawnee county: block 003, block 004, block 005, block 006, block 007, block 008, block 015, block 017, block 022, block 023, block 024, block 048, block 105; and the following blocks in voting district (000070), tract 9702.00, block group 5, in Pawnee county: block 015; and the following blocks in voting district (000070), tract 9703.00, block group

2, in Pawnee county: block 095, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 150, block 151, block 152, block 153, block 419, block 420; and the following blocks in voting district (000080), tract 9702.00, block group 1, in Pawnee county: block 025, block 026, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 068, block 069, block 070, block 071, block 072, block 073; and the following blocks in voting district (000080), tract 9702.00, block group 2, in Pawnee county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 049, block 050, block 051, block 052, block 053, block 075; and the following blocks in voting district (000090), tract 9702.00, block group 1, in Pawnee county: block 016, block 018, block 019, block 020, block 021, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 102, block 103, block 104; and the following blocks in voting district (000090), tract 9702.00, block group 2, in Pawnee county: block 009, block 010, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 080, block 081, block 082, block 097, block 098, block 099, block 100, block 101, block 102, block 104, block 105; and the following blocks in voting district (000090), tract 9702.00, block group 5, in Pawnee county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 094; and the following blocks in voting district (000110), tract 9702.00, block group 2, in Pawnee county: block 074; and the following voting districts in Pawnee county: (000120), (000140), (000160), (000230), (000250), (120020), (120030), (120040), (120050); and all of Phillips county; and all of Pottawatomie county; and all of Rawlins county; and all of Reno county; and all of Republic county; and all of Rice county; and all of Riley county; and all of Rooks county; and all of Rush county; and all of Russell county; and all of Saline county; and all of Scott county; and all of Seward county; and all of Sheridan county; and all of Sherman county; and all of Smith county; and all of Stanton county; and all of Stevens county; and all of Thomas county; and all of Trego county; and all of Wallace county; and all of Washington county; and all of Wichita county.

Sec. 5. Congressional district 2 shall consist of all of Allen county; and all of Atchison county; and all of Bourbon county; and all of Brown county; and all of Chase county; and all of Cherokee county; and all of Coffey county; and all of Crawford county; and all of Doniphan county; and the following voting districts in Douglas county: (000010), (000020), (000030), (00003A), (000600), (000620), (000630), (000640), (000660); and the following blocks in voting district (120030), tract 0002.01, block group 1, in Douglas county: block 005; and the following blocks in voting district (120030), tract 0002.01, block group 2, in Douglas county: block 011; and the following blocks in voting district (120030), tract 0012.01, block group 1, in Douglas county: block 004, block 005, block 006, block 010, block 022, block 028; and the following voting districts in Douglas county: (120070); and the following blocks in voting district (120080), tract 0006.03, block group 3, in Douglas county: block 001, block 028, block 042, block 051; and the following blocks in voting district (120080), tract 0014.00, block group 2, in Douglas county: block 002; and the following blocks in voting district (120080), tract 0015.00, block group 1, in Douglas county: block 075, block 078, block 080; and the following voting districts in Douglas county: (120290), (120310); and the following blocks in voting district (120320), tract 0015.00, block group 1, in Douglas county: block 003, block 005, block 006, block 007, block 008, block 009, block 010, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074; and the following blocks in voting district (120320), tract 0015.00, block group 2, in Douglas county: block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 044, block 045, block 046, block 047, block 048, block 049, block 051, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 067; and the following voting districts in Douglas county: (120330), (120340), (120370), (120380), (120390), (120400), (120410), (120420), (120430), (120440), (120450), (120460); and the following blocks in voting district (160750), tract 0014.00, block group 2, in Douglas county: block 035, block 036; and the following blocks in voting district (160770), tract 0012.01, block group 1, in Douglas county: block 011, block 021; and the following voting districts in Douglas county: (18046B), (180520), (18052A), (18052B), (18052C), (180530), (180540), (180560), (18062A), (190040); and the following blocks in voting district (190050), tract 0006.02, block group 3, in Douglas county: block 017; and the following blocks in voting district (190090), tract 0009.02, block group 3, in Douglas county: block 019; and the following blocks in voting district (190110), tract 0014.00, block group 2, in Douglas county: block 111; and the following voting districts in Douglas county: (200010), (200020), (400050), (400090), (400110), (900010), (900020); and all of Geary county; and the following blocks in voting district (000120), tract 0826.00, block group 4, in Jackson county: block

081; and the following voting districts in Jackson county: (000140); and the following blocks in voting district (000160), tract 0826.00, block group 3, in Jackson county: block 059, block 060, block 061, block 062, block 063, block 064, block 068, block 069, block 070, block 072, block 073, block 074, block 075, block 076, block 079, block 080, block 081; and the following voting districts in Jackson county: (000180); and all of Labette county; and all of Leavenworth county; and all of Linn county; and all of Lyon county; and all of Marion county; and all of Montgomery county; and all of Morris county; and all of Nemaha county; and all of Neosho county; and all of Osage county; and all of Shawnee county; and all of Wabaunsee county; and all of Wilson county; and all of Woodson county; and the following blocks in voting district (140030), tract 0447.02, block group 1, in Wyandotte county: block 000, block 001, block 002, block 008, block 015; and the following voting districts in Wyandotte county: (140090), (600090), (600100), (600110), (600120), (600130), (600140), (600150), (600160), (600170), (600180), (600190), (600200), (600210), (600220), (600230), (600240), (600250), (600260), (600270), (600280), (600290), (600300), (600310), (600450), (600460), (600470), (600480), (600490), (600500); and the following blocks in voting district (600510), tract 0439.05, block group 1, in Wyandotte county: block 004, block 010, block 013; and the following blocks in voting district (600520), tract 0440.01, block group 2, in Wyandotte county: block 000, block 003; and the following blocks in voting district (600520), tract 0441.01, block group 1, in Wyandotte county: block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015; and the following voting districts in Wyandotte county: (600530); and the following blocks in voting district (600540), tract 0440.01, block group 1, in Wyandotte county: block 000, block 003, block 004, block 005; and the following blocks in voting district (600540), tract 0441.02, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 012; and the following voting districts in Wyandotte county: (600550), (600590), (600600), (600610), (600620), (600630), (600640), (600650), (600660), (600670), (600680), (600690), (600700), (600710), (600720), (600730), (600740), (600750); and the following blocks in voting district (600760), tract 0447.02, block group 1, in Wyandotte county: block 003, block 004; and the following blocks in voting district (600760), tract 0447.03, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042; and the following blocks in

voting district (600760), tract 0447.03, block group 3, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009; and the following blocks in voting district (600760), tract 0448.03, block group 4, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 030, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039; and the following voting districts in Wyandotte county: (600870), (600880), (600890), (600900), (600910), (600920), (600930), (600940), (600950), (600960), (600970), (600980), (600990), (601000), (601010), (601020), (601030), (601040), (601050), (601060), (601070), (601080), (601090), (601100), (601120).

Sec. 6. Congressional district 3 shall consist of all of Anderson county; and all of Franklin county; and all of Johnson county; and all of Miami county; and the following voting districts in Wyandotte county: (120100), (140020); and the following blocks in voting district (140030), tract 0447.02, block group 1, in Wyandotte county: block 006, block 007, block 009, block 010, block 016, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 041, block 042, block 043, block 044, block 045, block 046; and the following blocks in voting district (140030), tract 0447.02, block group 2, in Wyandotte county: block 018, block 019; and the following blocks in voting district (140030), tract 0447.02, block group 3, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following voting districts in Wyandotte county: (600010), (600020), (600030), (600040), (600060), (600320), (600330), (600340), (600350), (600360), (600370), (600380), (600390), (600400), (600410), (600420), (600430), (600440); and the following blocks in voting district (600510), tract 0439.05, block group 1, in Wyandotte county: block 011, block 012; and the following blocks in voting district (600510), tract 0440.01, block group 3, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010; and the following blocks in voting district (600510), tract 0440.02, block group 2, in Wyandotte county: block 000, block 001, block 002; and the following blocks in voting district (600510), tract 0440.02, block group 4, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (600520), tract

0440.01, block group 2, in Wyandotte county: block 001, block 002; and the following blocks in voting district (600540), tract 0440.01, block group 1, in Wyandotte county: block 006, block 007, block 012, block 019, block 020; and the following voting districts in Wyandotte county: (600560), (600570), (600580); and the following blocks in voting district (600760), tract 0447.02, block group 1, in Wyandotte county: block 005, block 011; and the following blocks in voting district (600760), tract 0447.03, block group 3, in Wyandotte county: block 010, block 011, block 012; and the following blocks in voting district (600760), tract 0448.03, block group 4, in Wyandotte county: block 029, block 031; and the following voting districts in Wyandotte county: (600770), (600780), (600790), (600800), (600810), (600820), (600830), (600840), (600850), (600860), (601110).

Sec. 7. Congressional district 4 shall consist of all of Barber county; and all of Butler county; and all of Chautauqua county; and all of Comanche county; and all of Cowley county; and all of Edwards county; and all of Elk county; and all of Greenwood county; and all of Harper county; and all of Harvey county; and all of Kingman county; and all of Kiowa county; and the following voting districts in Pawnee county: (000040), (000060); and the following blocks in voting district (000070), tract 9702.00, block group 1, in Pawnee county: block 001, block 002, block 027, block 030, block 031, block 032, block 033, block 034, block 035, block 067; and the following blocks in voting district (000070), tract 9702.00, block group 5, in Pawnee county: block 061, block 064; and the following blocks in voting district (000070), tract 9703.00, block group 2, in Pawnee county: block 149; and the following blocks in voting district (000080), tract 9702.00, block group 1, in Pawnee county: block 046, block 047; and the following blocks in voting district (000080), tract 9702.00, block group 2, in Pawnee county: block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 068; and the following blocks in voting district (000090), tract 9702.00, block group 2, in Pawnee county: block 079, block 095, block 096; and the following voting districts in Pawnee county: (000100); and the following blocks in voting district (000110), tract 9702.00, block group 1, in Pawnee county: block 049, block 050, block 106; and the following blocks in voting district (000110), tract 9702.00, block group 2, in Pawnee county: block 063, block 064, block 065, block 066, block 067, block 069, block 070, block 071, block 072, block 073, block 076, block 077, block 078, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 103; and the following blocks in voting district (000110), tract 9702.00, block group 3, in Pawnee county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block

019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 040, block 041, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 065, block 066, block 067, block 068, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 094, block 095, block 096, block 099, block 100, block 101; and the following voting districts in Pawnee county: (000130), (000150), (00017A), (00017B), (000180), (000190), (000200), (000210), (000220), (000240); and all of Pratt county; and all of Sedgwick county; and all of Stafford county; and all of Sumner county.

Sec. 8. K.S.A. 2021 Supp. 4-137 and 4-143 are hereby repealed.

Sec. 9. This act shall take effect and be in force from and after its publication in the Kansas register.

CERTIFICATE

In accordance with K.S.A. 45-304, it is certified that **Substitute Senate Bill 355**, was not approved by the Governor on February 3, 2022 was returned with her objections and approved on February 8, 2022 by two-thirds of the members elected to the Senate notwithstanding the objections of the governor; was reconsidered by the House of Representatives and was approved on February 9, 2022, by two-thirds of the members elected to the House, notwithstanding the objections, the bill did pass and shall become law.

This certificate is made this 9th day of February, 2022 by the Chief Clerk and Speaker of the House of Representatives and the President and Secretary of the Senate.

SUSAN W. KANNARR

Chief Clerk of the House of Representatives

RON RYCKMAN

Speaker of the House of Representatives

COREY CARNAHAN

Secretary of the Senate

TY MASTERSON

President of the Senate

Governor's veto overridden (See Messages from the Governor)

Published in the *Kansas Register* February 10, 2022.

CHAPTER 3

House Substitute for SENATE BILL No. 347

AN ACT concerning economic development; enacting the attracting powerful economic expansion act; relating to tax and other incentives for projects in specified industries or for a national corporate headquarters with specified capital investment requirements of at least \$1,000,000,000; providing for a refundable income, privilege and premium tax credit for a portion of such investment; reimbursement of certain payroll costs and training and education costs; retention of certain payroll withholding taxes; sales tax exemption for project construction; adjusting the income tax on corporations by reducing the rate by 0.5% after a firm enters into an agreement under this act; limiting the number of agreements under this act with a qualified firm to one per year for two years; requiring state finance council approval of agreements and certain benefit provisions; providing for reports to legislative committees; establishing the attracting powerful economic expansion payroll incentive fund, the attracting powerful economic expansion new employee training and education fund and the attracting powerful economic expansion Kansas residency incentive fund; amending K.S.A. 79-32,110 and K.S.A. 2021 Supp. 79-3606 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. (a) This act shall be known and may be cited as the attracting powerful economic expansion act.

(b) For purposes of the attracting powerful economic expansion act:

(1) “Act” means the attracting powerful economic expansion act, sections 1 through 14, and amendments thereto.

(2) “Applicant” means a legal entity seeking to certify as a qualified firm for the economic development benefits pursuant to this act.

(3) “Commence investment” means to begin to invest, with action being directly connected to documentation describing the project previously submitted to the department.

(4) “Commencement of commercial operations” means the date, as determined by the secretary, that the qualified business facility is first available for use by the qualified firm, or first capable of being used by the qualified firm, in the revenue producing enterprise in which the qualified firm intends to use the qualified business facility.

(5) “Commitment to invest” means one or both of the following:

(A) The qualified firm relocates assets that it already owns to Kansas from an out-of-state location; or

(B) the qualified firm enters into a written agreement that provides either party with legally enforceable remedies if the agreement is breached.

(6) “Construction” means construction, reconstruction, enlarging or remodeling for the purpose of constructing a qualified business facility.

(7) “Department” means the Kansas department of commerce.

(8) “Headquarters” means a qualified business facility that meets the following conditions:

(A) The main activity at the qualified business facility is providing direction, management, or administrative support for the operation of

multiple company-owned worksites or facilities in which the applicant company has an ownership interest greater than 50%; and

(B) the qualified business facility is capable of being geographically located anywhere.

(9) “New employee” means a qualified business facility employee who is newly employed by the qualified firm or qualified supplier in the qualified firm or qualified supplier’s business operating in Kansas during the taxable year for which benefits are sought. Qualified business facility employees performing functions directly related to a relocating, expanding, or new business facility, office, department or other operation shall be considered “new employees.”

(10) “On-the-job training” means training situations during which a product or service that can be sold or used in internal operations is generated.

(11) “Qualified business facility” means a facility as defined in subparagraph (C) that satisfies the requirements of subparagraphs (A) and (B):

(A) Such facility is for use by the qualified firm or qualified supplier in the operation of a revenue producing enterprise, as defined in this section. Such facility shall not be considered a “qualified business facility” in the hands of the qualified firm or qualified supplier if the qualified firm’s or qualified supplier’s only activity with respect to such facility is to lease it to another person or persons. If the qualified firm or qualified supplier employs only a portion of such facility in the operation of a revenue producing enterprise, and leases another portion of such facility to another person or persons or does not otherwise use such other portions in the operation of a revenue producing enterprise, the portion employed by the qualified firm or qualified supplier in the operation of a revenue producing enterprise shall be considered a “qualified business facility,” if the requirements of subparagraph (B) are satisfied.

(B) If such facility was acquired or leased by the qualified firm from another person or persons, the facility was not used, either immediately prior to the transfer of title to the qualified firm, or to the commencement of the term of the lease to the qualified firm, by any other person or persons in the operation of a revenue producing enterprise that is the same or substantially the same as the revenue producing enterprise continued by the qualified firm at the facility.

(C) “Facility” means any factory, mill, plant, refinery, warehouse, building or complex of buildings located within the state, including the land on which such facility is located and all machinery, equipment and other real and tangible personal property located at or within such facility used in connection with the operation of such facility. “Building” means only structures within which individuals are customarily employed or that are customarily used to house machinery, equipment or other property.

(12) (A) “Qualified business facility employee” means an individual employed by a qualified firm or a qualified supplier at a qualified business facility project site, employed full-time and scheduled to work for an average minimum of 30 hours per week, employed for at least three consecutive months on the last day of the period covered by a Kansas department of labor quarterly wage report and unemployment tax return.

(B) “Qualified business facility employee” does not include an employee at a qualified business facility project site who has not been employed for three consecutive months.

(13) “Qualified business facility investment” or “qualified investment” means the value of the real and tangible personal property, except inventory or property held for sale to customers in the ordinary course of the qualified firm’s or qualified supplier’s business, that constitutes the qualified business facility, or that is used by the qualified firm or qualified supplier in the operation of the qualified business facility, including such property used for administrative or managerial functions, during the taxable years for which the credit allowed by sections 2 and 3, and amendments thereto, is claimed. “Qualified business facility investment” does not include any building, land, or other real or tangible personal property that is granted, leased or transferred to the qualified firm without cost to the qualified firm. Real or tangible personal property that is granted, leased or transferred to the qualified firm at a cost of less than fair market value shall be reduced in value, for purposes of calculating the qualified business facility investment, by the difference in cost to the qualified firm and fair market value. The value of such property during such taxable year shall be:

(A) Such property’s original cost if owned by the qualified firm or qualified supplier; or

(B) eight times the net annual rental rate, if leased by the qualified firm or qualified supplier. The net annual rental rate shall be the annual rental rate paid by the qualified firm or qualified supplier less any annual rental rate received by the qualified firm or qualified supplier from sub-rentals. The “qualified business facility investment” shall be determined by dividing by 12 the sum of the total value of such property on the last business day of each calendar month of the taxable year. Notwithstanding the provisions of this paragraph, for the purpose of computing the credit allowed by section 3, and amendments thereto, in the case of a “qualified business facility investment” in a qualified business facility that existed and was operated by the qualified firm or qualified supplier or a related taxpayer prior to the investment, the amount of the qualified firm’s or qualified supplier’s investment shall be computed as follows: Such investment amount shall be reduced by the average amount, computed as provided in this paragraph, of the investment of the qualified firm or qualified

supplier or a related taxpayer in the facility for the taxable year preceding the taxable year in which the “qualified business facility investment” was made in the facility.

(14) (A) “Qualified firm” means a for-profit business establishment, subject to state income, sales or property taxes, that is:

(i) Engaged in one or more of the following industries, as defined by the secretary of commerce:

- (a) Advanced manufacturing;
- (b) aerospace;
- (c) distribution, logistics and transportation;
- (d) food and agriculture; or
- (e) professional and technical services;

(ii) engaged in any industry or revenue-producing activity if seeking benefits with respect to a qualified business facility that is the national corporate headquarters of the for-profit business establishment.

(B) Notwithstanding clauses (i) and (ii), “qualified firm” does not include a business establishment engaged in mining, swine production, ranching or gaming.

(15) “Qualified supplier” means any business that is a supplier of components, sub-assemblies, chemicals or other process-related tangible goods, is located in Kansas and that is owned by:

(A) An individual, any partnership, association, limited liability corporation or corporation domiciled in Kansas; or

(B) any business, including any business owned by an individual, any partnership, association, limited liability corporation or corporation, even if the business is a wholly owned subsidiary of a foreign corporation, that operates the qualified supplier in the state of Kansas for the purpose of supplying a qualified firm.

(16) “Revenue producing enterprise” means an enterprise that creates revenue subject to potential tax liability in this state.

(17) “Secretary” means the secretary of commerce.

(18) (A) “Total payroll cost” means the payroll amount defined by the Kansas department of labor as total wages on the quarterly wage report and unemployment tax return. For a qualified business facility, “total payroll cost” during the appropriate measurement period may be combined with any pretax earnings in which an employee has elected to direct to a:

- (i) Flexible-spending plan;
- (ii) deferred compensation plan; or
- (iii) retirement plan that includes earnings the employee would otherwise have received in the form of taxable wages had it not been for the voluntary deferral.

(B) “Total payroll cost” does not include company-paid costs for health insurance, dental insurance and any other employee benefits that

are not reported to the Kansas department of labor on the employer's quarterly wage report and unemployment tax return.

(19) "Training and education eligible expense" means the amount actually paid for training and education of the group of employees, or portion thereof, and from which the qualified firm or qualified supplier expects to derive increased productivity or quality.

(A) "Training and education eligible expense" includes instructor salaries, curriculum planning and development, travel, materials and supplies, textbooks, manuals, minor training equipment, certain training facility costs and any other expenditure that is eligible under the Kansas industrial training or the Kansas industrial retraining programs.

(B) "Training and education eligible expense" may include, subject to maximum limits determined by the secretary:

- (i) Wages of employees during eligible training;
- (ii) employee instructors' salaries; and
- (iii) training-related travel expenses, with a maximum meals allowance of \$60 per day and lodging costs of \$150 per night.

(C) "Training and education eligible expense" does not include:

- (i) Compensation paid to an employee trainee who is receiving on-the-job training;
- (ii) compensation paid to an employee during self-training, except for time in which the employee is involved in activities related to an approved computerized course of study;
- (iii) bonus pay received as compensation related to the company's financial performance or the employee's job performance, or both;
- (iv) overtime pay, unless the employee is being paid at an overtime rate while participating in eligible training;
- (v) operations manuals and reference manuals, except that training-specific manuals may be allowable; and
- (vi) training and education costs covered by monies or grants obtained from state, federal or other government-sponsored workforce training programs.

New Sec. 2. (a) There is hereby established the attracting powerful economic expansion program to be administered by the secretary of commerce. The purpose of the attracting powerful economic expansion program is to attract large capital investments by businesses engaged in specified industries in new business facilities and operations in Kansas, or large capital investments in new national headquarters in Kansas by any business, and to encourage the development of a Kansas-based supply chain for such large enterprises.

(b) A qualified firm that makes a qualified business facility investment of at least \$1,000,000,000 in a qualified business facility pursuant to the requirements of this act may be eligible for the following incentives as approved by the secretary:

(1) The investment tax credit pursuant to section 3, and amendments thereto;

(2) reimbursement of a percentage of total payroll, pursuant to sections 5 and 6, and amendments thereto;

(3) reimbursement of a percentage of eligible employee training and education expense pursuant to sections 7 and 8, and amendments thereto;

(4) a sales tax exemption for construction costs of the qualified business facility pursuant to K.S.A. 79-3606, and amendments thereto, and section 9, and amendments thereto; and

(5) reimbursement of a percentage of relocation expenses and incentives for relocation of employees to Kansas pursuant to sections 12 and 13, and amendments thereto.

(c) To be eligible to receive an incentive listed in subsection (b), a qualified firm shall meet the requirements of this act, including any requirements or provisions specific to each such incentive, and any rules and regulations of the secretary pursuant to this act and shall:

(1) Submit an application to the secretary in the form and manner prescribed by the secretary and including all information as required by the secretary;

(2) if requested by the secretary, prior to making a commitment to invest in a qualified business facility, submit a certificate of intent to invest in the qualified business facility to the secretary in the form and manner required by the secretary, including, if requested by the secretary, a date investment will commence;

(3) commit to a qualified business investment of at least \$1,000,000,000 in the qualified business facility to be completed within five years of the commitment to invest on such date specified in the agreement pursuant to paragraph (5);

(4) complete the project and commence commercial operations within five years of either the commitment to invest or the date of the agreement with the secretary made pursuant to this section, as designated by the secretary and on such date as specified in the agreement pursuant to paragraph (5);

(5) if the application is approved by the secretary, enter into a binding agreement with the secretary with such terms and conditions as required by the secretary and including the commitments required by this act. The agreement shall be entered into before any benefits may be provided under this act. The agreement shall be subject to the approval of the state finance council as provided in subsection (e). The secretary shall not enter into an agreement with more than one qualified firm in calendar year 2022 and shall not enter into an agreement with more than one qualified firm in calendar year 2023. The secretary shall not enter into an agreement with any qualified firm after December 31, 2023;

(6) obtain and submit a bond to the secretary if required as follows: The secretary shall determine a minimum investment grade rating requirement for each project of a qualified firm seeking benefits under this act. In determining the minimum investment grade rating, the secretary shall consider the aspects of the qualified firm and the qualified business facility or project and shall consult ratings from three nationally recognized rating agencies selected by the secretary that provide investment grade ratings. A qualifying firm or qualifying business facility that does not meet the minimum investment grade rating determined by the secretary shall obtain and submit a bond in an amount, as determined by the secretary, of the costs associated with the primary construction of the building or buildings of the qualified business facility to a degree of completion specified by the secretary. The bond shall be paid to the state if, in the judgment of the secretary, the qualified business facility has not been constructed to the degree specified; and

(7) commit to repayment of any benefit or benefits received, connected to or associated with a term or a condition of the agreement that has been breached as determined by the secretary and to the forfeiture of any such earned benefits and the suspension or cessation of such future benefits for as long as the breach is not corrected. The secretary shall report any material breach of the terms and conditions of the agreement to the state finance council within 14 calendar days of the secretary first becoming aware of such breach.

(d) A qualified supplier, that meets the requirements of paragraphs (1) and (2), as determined by the secretary, may be eligible for the incentives listed in subsection (b)(1), (3) or (4) or a partial retention of payroll withholding taxes for employees as provided by section 4, and amendments thereto, upon designation by a qualified firm as eligible for incentives pursuant to paragraph (1). No benefits under sections 4 or 7, and amendments thereto, shall be awarded to the qualified supplier until the commencement of such qualified firm's operations at the qualified business facility, as determined by the secretary. If the qualified business facility fails to commence operations as required by subsection (c)(4), all incentives that may have been awarded to the qualified supplier under this act shall be forfeited and the qualified supplier shall cease to be eligible for further benefits until the requirements of this act are met with respect to the same qualified firm that has entered into a new agreement with the secretary or a different qualified firm. To be eligible to receive benefits, a qualified supplier shall meet the requirements of this act, including any requirements or provisions specific to each such incentive, and any rules and regulations of the secretary pursuant to this act and shall:

(1) Be selected by the qualified firm as a qualified supplier eligible to receive incentives under this act and identified to the secretary of com-

merce. Not more than five qualified suppliers may be selected by any one qualified firm. Such selection shall not be changed unless a qualified supplier selected by the qualified firm breaches the terms of an agreement under this act and is disqualified by the secretary. In such case, the qualified firm may select a replacement qualified supplier;

(2) within each period of one year for which incentives may be earned, beginning with the year in which the qualified supplier was designated as eligible for benefits by the qualified firm, have made sales, as defined by the secretary, of more than \$10,000,000 to the qualified business facility. This requirement may be waived by the secretary upon a showing of exceptional circumstances;

(3) submit an application to the secretary, in the form and manner as designated by the secretary, and provide all information requested by the secretary, including, but not limited to, evidence establishing sales of more than \$10,000,000 to the qualified firm for the qualified business facility as required by paragraph (2). The qualified firm shall submit evidence to the secretary as requested regarding the date operations at the qualified business facility commenced and the sales to the qualified business facility by the qualified supplier;

(4) if the application is approved by the secretary, enter into a binding agreement with the secretary with such terms and conditions as required by the secretary and the commitments required by this act, including, but not limited to, providing the secretary with evidence showing the amount of sales to the qualified firm for each year that an incentive is claimed. The agreement shall be entered into before any benefits may be provided under this act. The agreement shall be subject to the approval of the state finance council, as provided in subsection (e); and

(5) commit to repayment of the amount of all benefits received under this act in the event the qualified supplier breaches the terms and conditions of the agreement entered into pursuant to paragraph (4).

(e) Any agreement with a qualified firm or qualified supplier pursuant to this section shall not be effective unless reviewed and approved by the affirmative vote of the governor and by a majority vote of the legislative members of the state finance council prior to the finalization of the agreement by the secretary. If the state finance council does not approve the agreement, the secretary shall not enter into the agreement, but may negotiate further with the firm and submit another proposed agreement for review and approval by the council, until an agreement approved by the council is finally executed or the secretary or the firm discontinues negotiations. The state finance council shall also affirmatively approve, prior to the finalization of an agreement by the secretary, any increase of the total payroll benefit percentage, provided pursuant to section 5, and amendments thereto, to be allowed a qualified firm above 7.5%, or such

percentage greater than 7.5% shall not be effective. Prior to the finalization of an agreement by the secretary, the state finance council shall also affirmatively approve any additional portions or installments of the investment tax credit as provided by section 5(h), and amendments thereto, otherwise such increase in the portions or installments shall not be effective. This matter is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c, and amendments thereto, except that the state finance council is expressly granted the authority to act on this matter at any time, including when the legislature is in session. The secretary of commerce or any officer or employee of the department of commerce shall appear before the state finance council to provide testimony if requested by the state finance council. Notwithstanding the provisions of the Kansas open meetings act, any review, testimony or discussion of a proposed agreement shall not be open to the public. A vote on approval of an agreement shall be made in open session. However, the details of a proposed agreement need not be disclosed publicly. With respect to the state finance council, the proposed agreement, and any associated documentation or testimony pertaining to the proposed agreement, shall be confidential and shall not be subject to the Kansas open records act. The fact that a proposed agreement or its terms or associated documents or testimony has been referenced or reviewed by the state finance council shall not make the agreement or associated documents or testimony subject to the Kansas open records act with respect to any other agency. The provisions of this paragraph providing for confidentiality of records shall expire on July 1, 2027, unless the legislature acts to reenact such provisions pursuant to K.S.A. 45-229, and amendments thereto.

(f) A qualified firm or qualified supplier that is approved by the secretary for incentives under this act shall not be eligible for participation in any other economic development program or fund administered by the secretary of commerce, including, but not limited to, the STAR bond program, the promoting employment across Kansas program, the high performance incentive program or the Kansas industrial training or Kansas industrial retraining programs.

(g) As a condition of receiving an incentive under this act, a qualified firm or qualified supplier shall agree to cooperate with any audit undertaken by the secretary of revenue as provided by subsection (i) and to provide the secretary of commerce:

(1) Information required for publication in the economic development incentive program information database pursuant to K.S.A. 2021 Supp. 74-50,226, and amendments thereto;

(2) information reasonably required for the secretary's report pursuant to section 10, and amendments thereto;

(3) information required by the secretary of commerce or the secretary of revenue pursuant to subsections (h) and (i); and

(4) reasonable access by the secretary or the secretary's agents to the qualified business facility during business hours.

(h) (1) The secretary shall conduct an annual review of the activities undertaken by a qualified firm or qualified supplier to ensure that the qualified firm or qualified supplier remains in good standing with the state and in compliance with the provisions of this act, any rules and regulations adopted by the secretary with respect to this act and any agreement entered into pursuant to this act and continues to meet the requirements for the benefits provided under this act. The secretary of commerce shall certify annually to the secretary of revenue that the qualified firm or qualified supplier meets the criteria for designation as a qualified firm or qualified supplier and is eligible for such benefits. The secretary of commerce may obtain any and all information reasonably necessary to determine such eligibility. Such information shall be confidential to the same extent as information provided to the secretary to determine eligibility pursuant to K.S.A. 74-50,131, and amendments thereto.

(2) Confidential financial information, any trade secret or other information that, if known, would place the qualified firm at a disadvantage in the marketplace or would significantly interfere with the purposes of this act in the judgment of the secretary that is obtained under this section shall not be subject to disclosure pursuant to K.S.A. 45-215 et seq., and amendments thereto, but shall upon request be made available to the legislative post audit division. The provisions of this paragraph shall expire on July 1, 2027, unless the legislature reviews and reenacts such provisions pursuant to K.S.A. 45-229, and amendments thereto.

(i) The books and records concerning investments made, sales, employment and wages of any employees for which the qualified firm, qualified supplier or third party has retained any Kansas payroll withholding taxes or any other financial, employee or other records that pertain to eligibility for benefits or compliance with the requirements of this act shall be available for inspection by the secretary or the secretary's duly authorized agents or employees during business hours on at least 10 days' prior written notice. The secretary may request the department of revenue to audit the qualified firm or qualified supplier, or a third party if applicable, for compliance with the provisions of this act.

(j) The secretary of revenue, in consultation with the secretary of commerce, shall develop a form that shall be completed annually by any qualified firm or qualified supplier that received any tax benefit pursuant to this section and section 3 or 4, and amendments thereto. Such form shall request, at a minimum, the information required by K.S.A. 79-32,243(a)(1) through (a)(6), and amendments thereto, and such other

information as shall reasonably be required by the secretary of revenue and the secretary of commerce. The contents of the completed form shall be confidential except as provided in K.S.A. 79-3234, and amendments thereto.

(k) (1) In addition to the provisions of subsection (c)(7) and any other repayment requirement pursuant to this act, as a condition of receiving benefits under this act, a qualified firm that relocates its qualified business facility operations outside this state in the 10th through the 15th year next following the year the qualified firm entered into the agreement with the secretary pursuant to subsection (c)(5), shall be subject to a benefit repayment requirement to the state in the amount of:

(A) 100% of all benefits received if the relocation occurs in the 11th year;

(B) 80% of all benefits received if the relocation occurs in the 12th year;

(C) 60% of all benefits received if the relocation occurs in the 13th year;

(D) 40% of all benefits received if the relocation occurs in the 14th year; and

(E) 20% of all benefits received if the relocation occurs in the 15th year.

(2) The amount due to the state shall be paid pursuant to a repayment schedule and with interest as determined by the secretary and set forth in the agreement pursuant to subsection (c)(5), but in no event shall be paid in more than 10 years.

(3) The benefit repayment requirement shall be waived if the qualified firm sells the qualified business facility to another business and the operations of the qualified business facility are substantially continued in this state by such business, as determined by the secretary of commerce.

(l) The secretary of commerce or the secretary of revenue may adopt rules and regulations for the implementation of this act.

New Sec. 3. (a) (1) For taxable years commencing after December 31, 2021, a qualified firm that makes a qualified business investment in a qualified business facility and meets the requirements of section 2, and amendments thereto, and of this section shall be allowed a credit for such investment as provided by this section against the tax imposed by the Kansas income tax act, the premium tax or privilege fees imposed pursuant to K.S.A. 40-252, and amendments thereto, or the privilege tax as measured by the net income of financial institutions imposed pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto. The credit shall be earned by the taxpayer each taxable year based on the amount of the qualified investment made in that taxable year as further provided in this section. The amount of the credit that is earned

each taxable year shall not be claimed by the taxpayer in the taxable year that such credit is earned but shall be divided into 10 equal portions or installments. A $\frac{1}{10}$ portion or installment shall be claimed by the qualified firm commencing with the taxable year after the credit is earned and an equivalent amount of such portion or installment, respectively, shall be claimed in each of the next successive nine taxable years.

(2) The amount of the tax credit earned in a taxable year pursuant to this subsection shall be up to 15%, at the discretion of the secretary, of the amount of the qualified investment that is invested during such taxable year. In determining such percentage, the secretary shall consider factors including the extent of prospective new employment, the quality of new jobs and wage or salary levels, the total amount of investment, the potential for development of the industry in this state and the potential for ancillary industry development and indirect economic development. The secretary shall also consider factors pursuant to subsection (d). Such percentage shall be set forth in the agreement pursuant to section 2, and amendments thereto. The total qualified investment shall be completed within five years commencing from the date specified in such agreement. The total amount of the qualified investment shall be at least \$1,000,000,000. The qualified firm shall repay to the state all tax credits received if the total qualified investment is not completed.

(b) (1) For taxable years commencing after December 31, 2021, a qualified supplier that makes a qualified investment and meets the requirements of section 2, and amendments thereto, and of this section shall be allowed a credit for such investment as provided by this section against the tax imposed by the Kansas income tax act, the premium tax or privilege fees imposed pursuant to K.S.A. 40-252, and amendments thereto, or the privilege tax as measured by the net income of financial institutions imposed pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto. The credit shall be earned by the taxpayer for up to two calendar years from the date that the qualified supplier enters into the agreement with the secretary of commerce pursuant to section 2, and amendments thereto, unless all qualifying investment that is intended by the qualified supplier is completed before this date. The credit shall be taken in the earlier taxable year that would include either:

(A) The tax year following the two-calendar year expiration from entering into the agreement with the secretary; or

(B) the tax year after the calendar year that the qualified supplier determines completion of the tax credit eligible qualified investment.

(2) The amount of the tax credit shall be 5% for the first \$50,000,000 in qualified investment and an additional 1% credit for each additional \$10,000,000 in qualified investment up to a maximum of \$100,000,000

in qualified investment. The amount of the credit that is earned shall be divided into ten equal portions or installments. A $\frac{1}{10}$ portion or installment shall first be claimed commencing with the time frame set forth in paragraph (1). Such remaining portions or installments shall be claimed in each of the next successive nine taxable years.

(3) Only the first five qualified suppliers designated by a qualified firm pursuant to section 2, and amendments thereto, shall qualify for the credit unless a previously designated qualified supplier breaches terms of an agreement with either the qualified firm or department of commerce and is replaced by a succeeding qualified supplier. The qualified supplier that serves as replacement shall be eligible for the tax credit pursuant to this subsection.

(4) The qualified supplier shall repay to the state all tax credits received if the total qualified investment is not completed as provided pursuant to section 2, and amendments thereto.

(c) The secretary of commerce shall set forth in the agreement entered into pursuant to section 2, and amendments thereto, a percentage of the earned tax credit that may be refundable when claimed, as provided in subsection (a) or (b). The percentage shall be determined as provided in subsection (d). Such percentage of a tax credit installment may be refundable to such taxpayer if the amount of the installment claimed for that taxable year exceeds the taxpayer's tax liability for such year. The secretary shall set forth in the agreement any additional provisions, if necessary, regarding disposition of the earned tax credits. No earned tax credit shall be refundable after the tenth successive taxable year period that a portion or installment of such credit may be claimed. An installment portion of an earned tax credit that is not refunded shall be carried forward for application first against the taxpayer's tax liability in the next successive tax year or for refund, as the case may be, within the ten taxable year period. An installment portion of an earned tax credit that has not been applied against the taxpayer's tax liability or refunded at the end of the tenth successive taxable year period that installment portions of such earned tax credit may be claimed shall be forfeited.

(d) The base percentage that may be refundable in each taxable year of the $\frac{1}{10}$ portion of an earned tax credit that may be claimed, as provided by subsection (a), shall be 50%. The secretary may provide for an additional percentage that may be refundable up to 100% of the total eligible earned credit. The secretary shall base the additional percentage on the qualified firm meeting specified goals that shall be set forth in the agreement. Such goals shall include targets for the:

- (1) Creation of new jobs, including new jobs for suppliers;
- (2) benefit to the local, regional or state economy, including the development of suppliers in Kansas;

- (3) amount of capital investment;
- (4) benefit to the development of the qualified firm's industry in Kansas;
- (5) other measures or goals, if any, of the secretary consistent with the purposes of this act; and
- (6) employment, retention and attraction of employees to remain residents of, or relocate to, Kansas.

(e) The qualified firm or qualified supplier shall meet the requirements of this act, any rules and regulations of the secretary of commerce under this act and the terms of the agreement to receive a credit each year that a credit is earned or an installment portion of the earned credit is claimed. No credit shall be issued by the secretary of revenue unless the qualified firm or qualified supplier has been certified by the secretary of commerce as eligible as provided by section 2, and amendments thereto, for each taxable year the credit is claimed. The secretary of commerce shall provide such certifications to the secretary of revenue.

(f) If the qualified firm or qualified supplier breaches the terms and conditions of the agreement pursuant to section 2, and amendments thereto, the qualified firm or qualified supplier shall be liable for repayment of the amount of the tax credits to the state as provided by section 2, and amendments thereto.

(g) As a condition for claiming credits pursuant to this section, any qualified firm or qualified supplier shall provide information pursuant to K.S.A. 79-32,243, and amendments thereto, as part of the tax return in which such credits are claimed. Such credits shall not be denied solely on the basis of the contents of the information provided by the qualified firm pursuant to K.S.A. 79-32,243, and amendments thereto.

(h) Prior to finalization of an agreement pursuant to section 2, and amendments thereto, the state finance council may allow for a qualified firm or qualified supplier to be allowed to take one or more additional portions or installments of the tax credit that such qualified firm or qualified supplier is entitled pursuant to this subsection, as provided in section 2(e), and amendments thereto. No additional portions or installments of the tax credit shall be allowed in any taxable year unless the requested increase in the portions or installments has been so reviewed and approved by the affirmative vote of the governor and by a majority vote of the legislative members of the state finance council. This matter is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c, and amendments thereto, except that the state finance council is expressly granted the authority to act on this matter at any time, including when the legislature is in session. Upon an affirmative vote, the qualified firm or qualified supplier shall be allowed to take the additional portions or installments of the tax credit approved by the state finance council in the taxable year in which

such portions or installments were approved, as shall be set forth in the agreement pursuant to section 2, and amendments thereto. The portions or installments remaining on such credit shall decrease accordingly in the event that additional portions or installments are taken by a qualified firm or qualified supplier.

New Sec. 4. (a) For taxable years commencing after December 31, 2021, a qualified supplier that meets the requirements of section 2, and amendments thereto, and this section may be eligible to retain up to 65%, as determined by the secretary, of the qualified supplier's Kansas payroll withholding taxes under the Kansas withholding and declaration of estimated tax act for the qualified supplier's employees in a taxable year that such requirements are met. This benefit shall be available for a period of up to 10 successive taxable years. In determining the percentage and number of successive years, the secretary shall, at a minimum, consider the factors set forth in sections 3(b) and (d), and amendments thereto, as applicable. Qualified suppliers that have been selected by a qualified firm for benefit eligibility, and that meet the sales amount requirement, as provided by section 2, and amendments thereto, may be eligible to earn benefits of this section prior to the qualified firm's commencement of commercial operations at the qualified business facility. Any benefits shall only be awarded after the qualified firm that has selected the qualified supplier for benefit eligibility commences commercial operations.

(b) For purposes of the benefit under this section, a qualified supplier may utilize or contract with a third-party employer to perform services whereby the third-party employer:

(1) Serves as the legal employer of the qualified supplier's employees providing services to the qualified supplier;

(2) performs such services in Kansas; and

(3) is subject to, and the qualified supplier's employees are subject to, the Kansas withholding and declaration of estimated tax act.

(c) The qualified supplier shall submit an application to the secretary of commerce in the form and manner required by the secretary and provide all information requested by the secretary. If approved by the secretary, the qualified supplier shall enter into an agreement with the secretary, as required pursuant to section 2, and amendments thereto, with such terms and conditions as may be required by the secretary. In addition, the agreement shall set forth the percentage of payroll withholding taxes to be retained each year and any requirements or performance targets to receive such benefits, as determined by the secretary. If necessary, the secretary may also enter into an agreement with any third party described in subsection (b), or such third party may be a party to an agreement between the qualified supplier and the secretary.

(d) The agreement between the secretary of commerce and the qualified supplier shall specify that, if the qualified supplier breaches the terms and conditions set forth in the agreement, the qualified supplier shall be required to remit to the state an amount equal to the aggregate Kansas payroll withholding taxes retained by the qualified supplier, or remitted to the qualified supplier by a third party, as provided by section 2, and amendments thereto.

(e) For each year that the agreement is in effect, the secretary of commerce shall certify to the secretary of revenue:

(1) That the qualified supplier is eligible to receive benefits under this act and the terms of the agreement;

(2) the number of employees;

(3) the amount of gross wages being paid to each such employee; and

(4) the percentage of payroll withholding taxes to be retained by the qualified supplier.

(f) Any qualified supplier that has entered into an agreement with the secretary of commerce pursuant to this section and section 2, and amendments thereto, and is eligible to receive benefits pursuant to this section, shall complete and submit to the department of revenue the amount of Kansas payroll withholding tax being retained by the qualified supplier in the form and manner prescribed by the director of taxation.

(g) The secretary of revenue and the secretary of commerce shall cooperate to develop and coordinate procedures to implement the provisions of this act.

New Sec. 5. (a) On and after July 1, 2022, a qualified firm that meets the requirements of section 2, and amendments thereto, and this section may be eligible for partial reimbursement of total payroll costs paid to qualified business facility employees during a taxable year, as approved by the secretary of commerce.

(b) As determined by the secretary a qualified firm shall be eligible for such reimbursement commencing on the date the qualified firm:

(1) Enters into an agreement with the secretary as provided in section 2, and amendments thereto;

(2) commences construction of the qualified business facility; or

(3) commences commercial operations at the qualified business facility.

(c) The amount of the reimbursement each year shall be up to 7.5%, as allowed by the secretary, of the total payroll costs for that year, as determined by the secretary. The secretary may grant such reimbursement for up to 10 successive years. In determining the percentage and number of successive years, the secretary shall, at a minimum, consider the factors set forth in sections 3(b) and (d), and amendments thereto, as applicable. The secretary may grant an additional increase in reimbursement of such costs up to a maximum total benefit of 10% of the eligible total payroll

costs for a year for up to 10 successive years, if such percentage increase and number of years is approved by the state finance council as provided in subsection (d).

(d) The maximum reimbursement pursuant to this section that may be awarded in the secretary's discretion shall be 7.5% for 10 successive years. Prior to finalization of an agreement pursuant to section 2, and amendments thereto, the secretary may seek approval by the state finance council of an increased benefit percentage up to 10% for up to 10 successive years, pursuant to the provisions of section 2(e), and amendments thereto. Such approval shall require the affirmative vote of the governor and the majority of the legislative members of the state finance council. This matter is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c, and amendments thereto, except that the state finance council is expressly granted the authority to act on this matter at any time, including when the legislature is in session. Upon such approval, the secretary may incorporate terms providing for the additional benefit as approved by the state finance council into an agreement.

(e) To be eligible for the reimbursement, the qualified firm shall submit an application to the secretary in the form and manner required by the secretary and provide all information requested by the secretary. If approved by the secretary, the qualified firm shall enter into an agreement with the secretary with such terms and conditions as required by the secretary and this section.

(f) No claim for a reimbursement shall be paid unless the:

(1) Qualified firm has met all requirements of section 2, and amendments thereto, including entering into an agreement with the secretary of commerce that includes a commitment to make a qualified investment in the qualified business facility of at least \$1,000,000,000 within a period of five years;

(2) secretary of commerce has certified, for each year for which a reimbursement is claimed, that the qualified firm meets all requirements of this act, rules and regulations of the secretary, if any, and the agreement entered into pursuant to section 2, and amendments thereto, and this section; and

(3) qualified firm has filed a claim with the secretary of commerce in the form and manner required by the secretary and including evidence as required by the secretary showing the amount of total payroll costs for the year the reimbursement is claimed.

(g) Subject to appropriations therefor, the allowable amount of such claim as determined by the secretary shall be paid to the qualified firm from the attracting powerful economic expansion payroll incentive fund, established by section 6, and amendments thereto, upon warrants of the director

of accounts and reports pursuant to vouchers approved by the secretary or by any person designated by the secretary. No interest shall be allowed on any payment made to a qualified firm pursuant to this section.

(h) If the qualified firm breaches the terms and conditions of the agreement pursuant to section 2, and amendments thereto, the reimbursements of total payroll costs pursuant to this section shall be repaid to the state as provided by section 2, and amendments thereto.

New Sec. 6. There is hereby established in the state treasury the attracting powerful economic expansion payroll incentive fund to be administered by the secretary of commerce. All moneys credited to the attracting powerful economic expansion payroll incentive fund shall be used by the Kansas department of commerce for partial reimbursement to qualified firms for total payroll costs pursuant to the provisions of sections 2 and 5, and amendments thereto. All expenditures from the attracting powerful economic expansion payroll incentive fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of commerce or the secretary's designee.

New Sec. 7. (a) On and after July 1, 2022, a qualified firm or a qualified supplier that meets the requirements of section 2, and amendments thereto, and this section and that has entered into an agreement with the secretary, as provided by section 2, and amendments thereto, may be eligible for reimbursement of up to 50% of training and education eligible expenses for training or education completed for new employees in each year for up to five successive years, as determined by the secretary and as provided by this section. The maximum amount of reimbursement paid to a qualified supplier shall be \$250,000 per year. The maximum amount of reimbursement paid to a qualified firm shall be \$5,000,000 per year. In determining the percentage, the number of successive years and the maximum annual amount as limited by this subsection, the secretary shall, at a minimum, consider the factors set forth in sections 3(b) and (d), and amendments thereto, as applicable.

(b) (1) Qualified firms shall be eligible commencing with the year in which the qualified firm enters into an agreement with the secretary, as provided in section 2, and amendments thereto, commences construction of the qualified business facility or commences commercial operations at the qualified business facility, as determined by the secretary.

(2) Qualified suppliers shall be eligible commencing with the year in which the qualified firm selected the qualified supplier for benefit eligibility pursuant to section 2, and amendments thereto. Only training and education expenses for new employees employed at a qualified business facility of the qualified supplier that is located and operating in Kansas shall be eligible for reimbursement. A qualified supplier shall not be

awarded such benefits until the qualified business facility of the qualified firm commences commercial operations.

(c) The qualified firm or qualified supplier shall submit an application to the secretary in the form and manner required by the secretary and provide all information requested by the secretary, as provided by section 2, and amendments thereto. If approved by the secretary, the qualified firm or qualified supplier shall enter into an agreement with the secretary with such terms and conditions as may be required by the secretary and commitments required by this act, as provided pursuant to section 2, and amendments thereto. The agreement shall set forth the maximum amount of the incentive that may be received each year, as limited by subsection (a), and shall require an annual showing of eligibility, including evidence showing the number of new hires and amount of eligible training and education expense, for each year the incentive is claimed.

(d) Subject to appropriations therefor, reimbursement in the amount approved by the secretary and pursuant to the terms of the agreement and the limitations of subsection (a) shall be made by the secretary from the attracting powerful economic expansion new employee training and education fund established in section 8, and amendments thereto, in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of commerce or the secretary's designee.

(e) No reimbursement shall be issued unless the qualified firm or the qualified supplier has been certified by the secretary, as provided in section 2, and amendments thereto, as meeting all requirements of this act, any rules and regulations of the secretary and the agreement executed pursuant to section 2, and amendments thereto.

(f) If the qualified firm or qualified supplier breaches the terms and conditions of the agreement pursuant to section 2, and amendments thereto, reimbursements shall be repaid to the state as provided by section 2, and amendments thereto.

New Sec. 8. There is hereby established in the state treasury the attracting powerful economic expansion new employee training and education fund to be administered by the secretary of commerce. All moneys credited to the attracting powerful economic expansion new employee training and education fund shall be used by the Kansas department of commerce for reimbursement to qualified firms and qualified suppliers for training and education eligible expenses pursuant to the provisions of sections 2 and 7, and amendments thereto. All expenditures from the attracting powerful economic expansion new employee training and education fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of commerce or the secretary's designee.

New Sec. 9. (a) On and after the effective date of this act, a qualified firm or a qualified supplier that meets the requirements of section 2, and amendments thereto, and this section may be eligible for a sales tax exemption under the provisions of K.S.A. 79-3606(oooo), and amendments thereto.

(b) (1) Qualified firms that satisfy the requirements set forth in subsection (c) shall qualify for the sales tax exemption commencing on the date the qualified firm commences construction of the qualified business facility, as determined by the secretary of commerce, or an earlier date if agreed by the secretary and incorporated into the agreement pursuant to section 2, and amendments thereto.

(2) Qualified suppliers that satisfy the requirements set forth in subsection (c) shall qualify for the sales tax exemption commencing on the date that the qualified firm selected the qualified supplier for benefit eligibility pursuant to section 2, and amendments thereto. The secretary of commerce shall certify to the secretary of revenue that a qualified supplier is eligible and the date of eligibility of the qualified supplier.

(c) To be eligible to receive the sales tax exemption, the qualified firm or qualified supplier shall have been approved by and entered into an agreement with the secretary for a qualified investment in a qualified business facility including, with respect to a qualified firm, a requirement of an investment of at least \$1,000,000,000 pursuant to the requirements of section 2, and amendments thereto. The secretary of commerce shall provide notice to the secretary of revenue regarding an approval of a sales tax exemption under this section. The sales tax exemption shall be valid until construction of the qualified business facility has been completed as certified by the secretary of commerce to the secretary of revenue or the date specified for completion of the qualified business facility in the agreement executed pursuant to section 2, and amendments thereto, whichever occurs first. No sales tax exemption shall be issued by the secretary of revenue unless the qualified firm or the qualified supplier has been certified by the secretary of commerce, as provided in section 2, and amendments thereto, as meeting all requirements of this act, the rules and regulations of the secretary, if any, and the agreement executed pursuant to section 2, and amendments thereto.

(d) A sales tax exemption shall be revoked by the secretary of revenue upon notification by the secretary of commerce that the qualified firm or qualified supplier has been disapproved by the secretary of commerce.

(e) If the qualified firm or qualified supplier breaches the terms and conditions of the agreement pursuant to section 2, and amendments thereto, the amount of sales tax exempted shall be repaid to the state as provided by section 2, and amendments thereto.

New Sec. 10. (a) On or before January 31 of each year, the secretary of commerce shall transmit to the governor, the senate standing committees

on assessment and taxation and commerce and the house of representatives standing committees on taxation and commerce, labor and economic development, or any successor committee, a report based on information received from each qualified firm or qualified supplier receiving benefits under this act, describing, at a minimum, the following:

- (1) The names of the qualified firms or qualified suppliers;
- (2) the types of qualified firms or qualified suppliers utilizing the act;
- (3) the location of such companies and the location, description and economic and industry impact of such companies' business operations in Kansas;
- (4) the cumulative number of new employees hired and the new employees hired in that calendar year, with respect to each qualified firm and qualified supplier;
- (5) the number of employees who reside in Kansas and the number of employees who reside in other states, designated with respect to each other state and, if available, the number of employees who have relocated to Kansas from another state;
- (6) the wages paid for such new employees;
- (7) the annual and cumulative amount of investments made;
- (8) the annual amount of each benefit provided under this act;
- (9) the estimated net state fiscal impact, including the direct and indirect new state taxes derived from the new employees hired;
- (10) an estimate of the multiplier effect on the Kansas economy of the benefits received under this act;
- (11) any material defaults by a qualified firm or qualified supplier of the terms of any agreement pursuant to section 2, and amendments thereto; and
- (12) the percentage of the business of a qualified supplier that is with the qualified firm that designated the qualified supplier.

(b) Commencing on the effective date of this act, the secretary of commerce shall transmit quarterly to the chairpersons of the senate standing committee on commerce and the house of representatives standing committee on commerce, labor and economic development, or any successor committee, a report on the number of projects that may qualify for incentives under this act.

New Sec. 11. (a) Commencing with fiscal year 2022, in any fiscal year that a qualified firm enters into an agreement with the secretary of commerce for the first time pursuant to section 2, and amendments thereto, and commences construction on a qualified business facility under this act the secretary of commerce shall certify such fact to the secretary of revenue, the director of the budget and the director of legislative research. Such certification shall be made when such fact is known to the secretary, but in any event on or before June 30 of such fiscal year.

(b) Upon receipt of such certification, the secretary of revenue shall adjust the corporate income tax rate imposed pursuant to the provisions of K.S.A. 79-32,110, and amendments thereto, to go into effect for the next tax year by reducing the rate by 0.5%. The maximum reduction to be applied for one taxable year shall be 0.5% regardless of the number of eligible qualifying firms that may have satisfied the conditions of subsection (a).

(c) The rate reduction of 0.5% shall be applied to reduce the normal tax on corporations imposed pursuant to K.S.A. 79-32,110, and amendments thereto, until reduced to 0%.

(d) The secretary of revenue shall report any reduction in corporate income tax rates pursuant to this section to the chairpersons of the senate standing committees on assessment and taxation and commerce, the chairpersons of the house of representatives standing committees on commerce, labor and economic development and taxation and the governor, and shall cause notice of any such reduction to be published in the Kansas register prior to September 15 of the calendar year immediately preceding the tax year in which such reduction takes effect.

New Sec. 12. (a) On and after July 1, 2022, a qualified firm that meets the requirements of this section and section 2, and amendments thereto, and that has entered into an agreement with the secretary, as provided by section 2, and amendments thereto, shall be eligible for annual reimbursement of up to 50% of relocation incentives and expenses provided by the qualified firm to incentivize employees who are not Kansas residents to relocate their primary residence to this state and become Kansas residents. Reimbursement for such eligible incentives and expenses shall not exceed an annual reimbursement amount of \$1,000,000 to the qualified firm, as determined by the secretary. Reimbursement for such eligible incentives and expenses may be provided for up to ten successive years, as determined by the secretary.

(b) The qualified firm shall submit to the secretary a Kansas residency incentive plan for which it will seek reimbursement and the expected costs for each component of the plan. The reimbursement percentage shall be subject to the qualified firm meeting goals for incentivizing employees to become new Kansas residents as determined by the secretary. If the secretary approves the plan, the qualified firm and the secretary shall enter into an agreement that requires the qualified firm to provide annual documentation of the relocation incentive expenditures and the results of such expenditures to the secretary. No reimbursement shall be made unless the secretary of commerce has certified, for each year for which a reimbursement is claimed, that the qualified firm meets all requirements of this act, the rules and regulations of the secretary and the agreements entered into pursuant to this section and section 2, and amendments thereto.

(c) The qualified firm shall remit to the state an amount equal to the amount of benefits provided to the qualified firm pursuant to this section upon any breach by the qualified firm of the terms and conditions set forth in the agreement entered into pursuant to this section or section 2, and amendments thereto. The agreement between the secretary of commerce and the qualified firm entered into pursuant to this section and section 2, and amendments thereto, shall specify such repayment requirements in such agreement.

(d) Subject to appropriations therefor, the allowable amount of reimbursement shall be paid to the qualified firm from the attracting powerful economic expansion Kansas residency incentive fund, established by section 13, and amendments thereto. No interest shall be allowed on any payment made to a qualified firm pursuant to this section.

New Sec. 13. There is hereby established in the state treasury the attracting powerful economic expansion Kansas residency incentive fund to be administered by the secretary of commerce. All moneys credited to the attracting powerful economic expansion Kansas residency incentive fund shall be used by the Kansas department of commerce for reimbursement to qualified firms for expenses incurred in a Kansas residency incentive plan for employees pursuant to the provisions of sections 2 and 12, and amendments thereto. All expenditures from the attracting powerful economic expansion Kansas residency incentive fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of commerce or the secretary's designee.

New Sec. 14. The secretary of commerce shall not consider a new application, proceed with an application that has been submitted or enter into any agreement with a qualified firm or qualified supplier pursuant to section 2, and amendments thereto, on and after May 1, 2024.

Sec. 15. K.S.A. 79-32,110 is hereby amended to read as follows: 79-32,110. (a) *Resident Individuals*. Except as otherwise provided by K.S.A. 79-3220(a), and amendments thereto, a tax is hereby imposed upon the Kansas taxable income of every resident individual, which tax shall be computed in accordance with the following tax schedules:

(1) *Married individuals filing joint returns*.

(A) For tax year 2012:

If the taxable income is:	The tax is:
Not over \$30,000	3.5% of Kansas taxable income
Over \$30,000 but not over \$60,000	\$1,050 plus 6.25% of excess over \$30,000
Over \$60,000	\$2,925 plus 6.45% of excess over \$60,000

If the taxable income is:	The tax is:
Not over \$15,000	2.7% of Kansas taxable income
Over \$15,000	\$405 plus 4.8% of excess over \$15,000

(D) For tax years 2015 and 2016:

If the taxable income is:	The tax is:
Not over \$15,000	2.7% of Kansas taxable income
Over \$15,000	\$405 plus 4.6% of excess over \$15,000

(E) For tax year 2017:

If the taxable income is:	The tax is:
Not over \$15,000	2.9% of Kansas taxable income
Over \$15,000 but not over \$30,000	\$435 plus 4.9% of excess over \$15,000
Over \$30,000	\$1,170 plus 5.2% of excess over \$30,000

(F) For tax year 2018, and all tax years thereafter:

If the taxable income is:	The tax is:
Not over \$15,000	3.1% of Kansas taxable income
Over \$15,000 but not over \$30,000	\$465 plus 5.25% of excess over \$15,000
Over \$30,000	\$1,252.50 plus 5.7% of excess over \$30,000

(b) *Nonresident Individuals.* A tax is hereby imposed upon the Kansas taxable income of every nonresident individual, which tax shall be an amount equal to the tax computed under subsection (a) as if the nonresident were a resident multiplied by the ratio of modified Kansas source income to Kansas adjusted gross income.

(c) *Corporations.* A tax is hereby imposed upon the Kansas taxable income of every corporation doing business within this state or deriving income from sources within this state. Such tax shall consist of a normal tax and a surtax and shall be computed as follows *unless otherwise modified pursuant to section 11, and amendments thereto*:

(1) The normal tax shall be in an amount equal to 4% of the Kansas taxable income of such corporation; and

~~(2)(A) for tax year 2008, the surtax shall be in an amount equal to 3.1% of the Kansas taxable income of such corporation in excess of \$50,000;~~

~~(B) for tax years 2009 and 2010, the surtax shall be in an amount equal to 3.05% of the Kansas taxable income of such corporation in excess of \$50,000; and~~

~~(C) for tax year 2011, and all tax years thereafter, The surtax shall be in an amount equal to 3% of the Kansas taxable income of such corporation in excess of \$50,000.~~

(d) *Fiduciaries.* A tax is hereby imposed upon the Kansas taxable income of estates and trusts at the rates provided in subsection (a)(2) hereof.

(e) Notwithstanding the provisions of subsections (a) and (b): (1) For tax years 2016 and 2017, married individuals filing joint returns with taxable income of \$12,500 or less, and all other individuals with taxable income of \$5,000 or less, shall have a tax liability of zero; and (2) for tax year 2018, and all tax years thereafter, married individuals filing joint returns with taxable income of \$5,000 or less, and all other individuals with taxable income of \$2,500 or less, shall have a tax liability of zero.

(f) No taxpayer shall be assessed penalties and interest arising from the underpayment of taxes due to changes to the rates in subsection (a) that became law on July 1, 2017, so long as such underpayment is rectified on or before April 17, 2018.

Sec. 16. K.S.A. 2021 Supp. 79-3606 is hereby amended to read as follows: 79-3606. The following shall be exempt from the tax imposed by this act:

(a) All sales of motor-vehicle fuel or other articles upon which a sales or excise tax has been paid, not subject to refund, under the laws of this state except cigarettes and electronic cigarettes as defined by K.S.A. 79-3301, and amendments thereto, including consumable material for such electronic cigarettes, cereal malt beverages and malt products as defined by K.S.A. 79-3817, and amendments thereto, including wort, liquid malt, malt syrup and malt extract, that is not subject to taxation under the provisions of K.S.A. 79-41a02, and amendments thereto, motor vehicles taxed pursuant to K.S.A. 79-5117, and amendments thereto, tires taxed pursuant to K.S.A. 65-3424d, and amendments thereto, drycleaning and laundry services taxed pursuant to K.S.A. 65-34,150, and amendments thereto, and gross receipts from regulated sports contests taxed pursuant to the Kansas professional regulated sports act, and amendments thereto;

(b) all sales of tangible personal property or service, including the renting and leasing of tangible personal property, purchased directly by the state of Kansas, a political subdivision thereof, other than a school or educational institution, or purchased by a public or private nonprofit hospital, public hospital authority, nonprofit blood, tissue or organ bank or nonprofit integrated community care organization and used exclusively for state, political subdivision, hospital, public hospital authority, nonprofit blood, tissue or organ bank or nonprofit integrated community care organization purposes, except when: (1) Such state, hospital or public hospital authority is engaged or proposes to engage in any business specifically taxable under the provisions of this act and such items of tangible personal property or service are used or proposed to be used in such business; or (2) such political subdivision is engaged or proposes to engage in the business of furnishing gas, electricity or heat to others

and such items of personal property or service are used or proposed to be used in such business;

(c) all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased directly by a public or private elementary or secondary school or public or private nonprofit educational institution and used primarily by such school or institution for nonsectarian programs and activities provided or sponsored by such school or institution or in the erection, repair or enlargement of buildings to be used for such purposes. The exemption herein provided shall not apply to erection, construction, repair, enlargement or equipment of buildings used primarily for human habitation, except that such exemption shall apply to the erection, construction, repair, enlargement or equipment of buildings used for human habitation by the cerebral palsy research foundation of Kansas located in Wichita, Kansas, and multi community diversified services, incorporated, located in McPherson, Kansas;

(d) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any public or private nonprofit hospital or public hospital authority, public or private elementary or secondary school, a public or private nonprofit educational institution, state correctional institution including a privately constructed correctional institution contracted for state use and ownership, that would be exempt from taxation under the provisions of this act if purchased directly by such hospital or public hospital authority, school, educational institution or a state correctional institution; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any political subdivision of the state or district described in subsection (s), the total cost of which is paid from funds of such political subdivision or district and that would be exempt from taxation under the provisions of this act if purchased directly by such political subdivision or district. Nothing in this subsection or in the provisions of K.S.A. 12-3418, and amendments thereto, shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any political subdivision of the state or any such district. As used in this subsection, K.S.A. 12-3418 and 79-3640, and amendments thereto, "funds of a political subdivision" shall mean general tax revenues, the proceeds of any bonds and gifts or grants-in-aid. Gifts shall not mean funds used for the purpose of constructing, equipping, reconstructing, repairing, enlarging, furnishing or remodeling facilities that are to be leased to the donor. When any political subdivision of the state, district described in subsection

(s), public or private nonprofit hospital or public hospital authority, public or private elementary or secondary school, public or private nonprofit educational institution, state correctional institution including a privately constructed correctional institution contracted for state use and ownership shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the political subdivision, district described in subsection (s), hospital or public hospital authority, school, educational institution or department of corrections concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. As an alternative to the foregoing procedure, any such contracting entity may apply to the secretary of revenue for agent status for the sole purpose of issuing and furnishing project exemption certificates to contractors pursuant to rules and regulations adopted by the secretary establishing conditions and standards for the granting and maintaining of such status. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the political subdivision, district described in subsection (s), hospital or public hospital authority, school, educational institution or the contractor contracting with the department of corrections for a correctional institution concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(e) all sales of tangible personal property or services purchased by a contractor for the erection, repair or enlargement of buildings or other projects for the government of the United States, its agencies or instrumentalities, that would be exempt from taxation if purchased directly by the government of the United States, its agencies or instrumentalities. When the government of the United States, its agencies or instrumentalities shall contract for the erection, repair, or enlargement of any building or other project, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the government of the United States, its agencies or instrumentalities concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. As an alternative to the foregoing procedure, any such contracting entity may apply to the secretary of revenue for agent status for the sole purpose of issuing and furnishing project exemption certificates to contractors pursuant to rules and regulations adopted by the secretary establishing conditions and standards for the granting and maintaining of such status. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(f) tangible personal property purchased by a railroad or public utility for consumption or movement directly and immediately in interstate commerce;

(g) sales of aircraft including remanufactured and modified aircraft sold to persons using directly or through an authorized agent such aircraft as certified or licensed carriers of persons or property in interstate or foreign commerce under authority of the laws of the United States or any foreign government or sold to any foreign government or agency or instrumentality of such foreign government and all sales of aircraft for use outside of the United States and sales of aircraft repair, modification and replacement parts and sales of services employed in the remanufacture, modification and repair of aircraft;

- (h) all rentals of nonsectarian textbooks by public or private elementary or secondary schools;
- (i) the lease or rental of all films, records, tapes, or any type of sound or picture transcriptions used by motion picture exhibitors;
- (j) meals served without charge or food used in the preparation of such meals to employees of any restaurant, eating house, dining car, hotel, drugstore or other place where meals or drinks are regularly sold to the public if such employees' duties are related to the furnishing or sale of such meals or drinks;
- (k) any motor vehicle, semitrailer or pole trailer, as such terms are defined by K.S.A. 8-126, and amendments thereto, or aircraft sold and delivered in this state to a bona fide resident of another state, which motor vehicle, semitrailer, pole trailer or aircraft is not to be registered or based in this state and which vehicle, semitrailer, pole trailer or aircraft will not remain in this state more than 10 days;
- (l) all isolated or occasional sales of tangible personal property, services, substances or things, except isolated or occasional sale of motor vehicles specifically taxed under the provisions of K.S.A. 79-3603(o), and amendments thereto;
- (m) all sales of tangible personal property that become an ingredient or component part of tangible personal property or services produced, manufactured or compounded for ultimate sale at retail within or without the state of Kansas; and any such producer, manufacturer or compounder may obtain from the director of taxation and furnish to the supplier an exemption certificate number for tangible personal property for use as an ingredient or component part of the property or services produced, manufactured or compounded;
- (n) all sales of tangible personal property that is consumed in the production, manufacture, processing, mining, drilling, refining or compounding of tangible personal property, the treating of by-products or wastes derived from any such production process, the providing of services or the irrigation of crops for ultimate sale at retail within or without the state of Kansas; and any purchaser of such property may obtain from the director of taxation and furnish to the supplier an exemption certificate number for tangible personal property for consumption in such production, manufacture, processing, mining, drilling, refining, compounding, treating, irrigation and in providing such services;
- (o) all sales of animals, fowl and aquatic plants and animals, the primary purpose of which is use in agriculture or aquaculture, as defined in K.S.A. 47-1901, and amendments thereto, the production of food for human consumption, the production of animal, dairy, poultry or aquatic plant and animal products, fiber or fur, or the production of offspring for use for any such purpose or purposes;

(p) all sales of drugs dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto. As used in this subsection, “drug” means a compound, substance or preparation and any component of a compound, substance or preparation, other than food and food ingredients, dietary supplements or alcoholic beverages, recognized in the official United States pharmacopeia, official homeopathic pharmacopoeia of the United States or official national formulary, and supplement to any of them, intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease or intended to affect the structure or any function of the body, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of drugs used in the performance or induction of an abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(q) all sales of insulin dispensed by a person licensed by the state board of pharmacy to a person for treatment of diabetes at the direction of a person licensed to practice medicine by the state board of healing arts;

(r) all sales of oxygen delivery equipment, kidney dialysis equipment, enteral feeding systems, prosthetic devices and mobility enhancing equipment prescribed in writing by a person licensed to practice the healing arts, dentistry or optometry, and in addition to such sales, all sales of hearing aids, as defined by K.S.A. 74-5807(c), and amendments thereto, and repair and replacement parts therefor, including batteries, by a person licensed in the practice of dispensing and fitting hearing aids pursuant to the provisions of K.S.A. 74-5808, and amendments thereto. For the purposes of this subsection: (1) “Mobility enhancing equipment” means equipment including repair and replacement parts to same, but does not include durable medical equipment, which is primarily and customarily used to provide or increase the ability to move from one place to another and which is appropriate for use either in a home or a motor vehicle; is not generally used by persons with normal mobility; and does not include any motor vehicle or equipment on a motor vehicle normally provided by a motor vehicle manufacturer; and (2) “prosthetic device” means a replacement, corrective or supportive device including repair and replacement parts for same worn on or in the body to artificially replace a missing portion of the body, prevent or correct physical deformity or malfunction or support a weak or deformed portion of the body;

(s) except as provided in K.S.A. 82a-2101, and amendments thereto, all sales of tangible personal property or services purchased directly or indirectly by a groundwater management district organized or operating under the authority of K.S.A. 82a-1020 et seq., and amendments thereto, by a rural water district organized or operating under the authority of K.S.A. 82a-612, and amendments thereto, or by a water supply district

organized or operating under the authority of K.S.A. 19-3501 et seq., 19-3522 et seq. or 19-3545, and amendments thereto, which property or services are used in the construction activities, operation or maintenance of the district;

(t) all sales of farm machinery and equipment or aquaculture machinery and equipment, repair and replacement parts therefor and services performed in the repair and maintenance of such machinery and equipment. For the purposes of this subsection the term “farm machinery and equipment or aquaculture machinery and equipment” shall include a work-site utility vehicle, as defined in K.S.A. 8-126, and amendments thereto, and is equipped with a bed or cargo box for hauling materials, and shall also include machinery and equipment used in the operation of Christmas tree farming but shall not include any passenger vehicle, truck, truck tractor, trailer, semitrailer or pole trailer, other than a farm trailer, as such terms are defined by K.S.A. 8-126, and amendments thereto. “Farm machinery and equipment” includes precision farming equipment that is portable or is installed or purchased to be installed on farm machinery and equipment. “Precision farming equipment” includes the following items used only in computer-assisted farming, ranching or aquaculture production operations: Soil testing sensors, yield monitors, computers, monitors, software, global positioning and mapping systems, guiding systems, modems, data communications equipment and any necessary mounting hardware, wiring and antennas. Each purchaser of farm machinery and equipment or aquaculture machinery and equipment exempted herein must certify in writing on the copy of the invoice or sales ticket to be retained by the seller that the farm machinery and equipment or aquaculture machinery and equipment purchased will be used only in farming, ranching or aquaculture production. Farming or ranching shall include the operation of a feedlot and farm and ranch work for hire and the operation of a nursery;

(u) all leases or rentals of tangible personal property used as a dwelling if such tangible personal property is leased or rented for a period of more than 28 consecutive days;

(v) all sales of tangible personal property to any contractor for use in preparing meals for delivery to homebound elderly persons over 60 years of age and to homebound disabled persons or to be served at a group-sitting at a location outside of the home to otherwise homebound elderly persons over 60 years of age and to otherwise homebound disabled persons, as all or part of any food service project funded in whole or in part by government or as part of a private nonprofit food service project available to all such elderly or disabled persons residing within an area of service designated by the private nonprofit organization, and all sales of tangible personal property for use in preparing meals for consumption by

indigent or homeless individuals whether or not such meals are consumed at a place designated for such purpose, and all sales of food products by or on behalf of any such contractor or organization for any such purpose;

(w) all sales of natural gas, electricity, heat and water delivered through mains, lines or pipes: (1) To residential premises for noncommercial use by the occupant of such premises; (2) for agricultural use and also, for such use, all sales of propane gas; (3) for use in the severing of oil; and (4) to any property which is exempt from property taxation pursuant to K.S.A. 79-201b, Second through Sixth. As used in this paragraph, “severing” means the same as defined in K.S.A. 79-4216(k), and amendments thereto. For all sales of natural gas, electricity and heat delivered through mains, lines or pipes pursuant to the provisions of subsection (w)(1) and (w)(2), the provisions of this subsection shall expire on December 31, 2005;

(x) all sales of propane gas, LP-gas, coal, wood and other fuel sources for the production of heat or lighting for noncommercial use of an occupant of residential premises occurring prior to January 1, 2006;

(y) all sales of materials and services used in the repairing, servicing, altering, maintaining, manufacturing, remanufacturing, or modification of railroad rolling stock for use in interstate or foreign commerce under authority of the laws of the United States;

(z) all sales of tangible personal property and services purchased directly by a port authority or by a contractor therefor as provided by the provisions of K.S.A. 12-3418, and amendments thereto;

(aa) all sales of materials and services applied to equipment that is transported into the state from without the state for repair, service, alteration, maintenance, remanufacture or modification and that is subsequently transported outside the state for use in the transmission of liquids or natural gas by means of pipeline in interstate or foreign commerce under authority of the laws of the United States;

(bb) all sales of used mobile homes or manufactured homes. As used in this subsection: (1) “Mobile homes” and “manufactured homes” mean the same as defined in K.S.A. 58-4202, and amendments thereto; and (2) “sales of used mobile homes or manufactured homes” means sales other than the original retail sale thereof;

(cc) all sales of tangible personal property or services purchased prior to January 1, 2012, except as otherwise provided, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business or retail business that meets the requirements established in K.S.A. 74-50,115, and amendments thereto, and the sale and installation of machinery and equipment purchased for installation at any such business or retail business, and all sales of tangible personal property or services purchased on or after January 1, 2012, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a

business that meets the requirements established in K.S.A. 74-50,115(e), and amendments thereto, and the sale and installation of machinery and equipment purchased for installation at any such business. When a person shall contract for the construction, reconstruction, enlargement or remodeling of any such business or retail business, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the owner of the business or retail business a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. As used in this subsection, “business” and “retail business” mean the same as defined in K.S.A. 74-50,114, and amendments thereto. Project exemption certificates that have been previously issued under this subsection by the department of revenue pursuant to K.S.A. 74-50,115, and amendments thereto, but not including K.S.A. 74-50,115(e), and amendments thereto, prior to January 1, 2012, and have not expired will be effective for the term of the project or two years from the effective date of the certificate, whichever occurs earlier. Project exemption certificates that are submitted to the department of revenue prior to January 1, 2012, and are found to qualify will be issued a project exemption certificate that will be effective for a two-year period or for the term of the project, whichever occurs earlier;

(dd) all sales of tangible personal property purchased with food stamps issued by the United States department of agriculture;

(ee) all sales of lottery tickets and shares made as part of a lottery operated by the state of Kansas;

(ff) on and after July 1, 1988, all sales of new mobile homes or manufactured homes to the extent of 40% of the gross receipts, determined without regard to any trade-in allowance, received from such sale. As used in this subsection, “mobile homes” and “manufactured homes” mean the same as defined in K.S.A. 58-4202, and amendments thereto;

(gg) all sales of tangible personal property purchased in accordance with vouchers issued pursuant to the federal special supplemental food program for women, infants and children;

(hh) all sales of medical supplies and equipment, including durable medical equipment, purchased directly by a nonprofit skilled nursing home or nonprofit intermediate nursing care home, as defined by K.S.A. 39-923, and amendments thereto, for the purpose of providing medical services to residents thereof. This exemption shall not apply to tangible personal property customarily used for human habitation purposes. As used in this subsection, “durable medical equipment” means equipment including repair and replacement parts for such equipment, that can withstand repeated use, is primarily and customarily used to serve a medical purpose, generally is not useful to a person in the absence of illness or injury and is not worn in or on the body, but does not include mobility enhancing equipment as defined in subsection (r), oxygen delivery equipment, kidney dialysis equipment or enteral feeding systems;

(ii) all sales of tangible personal property purchased directly by a nonprofit organization for nonsectarian comprehensive multidiscipline youth development programs and activities provided or sponsored by such organization, and all sales of tangible personal property by or on behalf of any such organization. This exemption shall not apply to tangible personal property customarily used for human habitation purposes;

(jj) all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased directly on behalf of a community-based facility for people with intellectual disability or mental health center organized pursuant to K.S.A. 19-4001 et seq., and amendments thereto, and licensed in accordance with the provisions of K.S.A. 39-2001 et seq., and amendments thereto, and all sales of tangible personal property or services purchased by contractors during the time period from July, 2003, through June, 2006, for the purpose of constructing, equipping, maintaining or furnishing a new facility for a community-based facility for people with intellectual disability or mental health center located in River-ton, Cherokee County, Kansas, that would have been eligible for sales tax exemption pursuant to this subsection if purchased directly by such facility or center. This exemption shall not apply to tangible personal property customarily used for human habitation purposes;

(kk) (1) (A) all sales of machinery and equipment that are used in this state as an integral or essential part of an integrated production operation by a manufacturing or processing plant or facility;

(B) all sales of installation, repair and maintenance services performed on such machinery and equipment; and

(C) all sales of repair and replacement parts and accessories purchased for such machinery and equipment.

(2) For purposes of this subsection:

(A) “Integrated production operation” means an integrated series of operations engaged in at a manufacturing or processing plant or facility to process, transform or convert tangible personal property by physical, chemical or other means into a different form, composition or character from that in which it originally existed. Integrated production operations shall include: (i) Production line operations, including packaging operations; (ii) preproduction operations to handle, store and treat raw materials; (iii) post production handling, storage, warehousing and distribution operations; and (iv) waste, pollution and environmental control operations, if any;

(B) “production line” means the assemblage of machinery and equipment at a manufacturing or processing plant or facility where the actual transformation or processing of tangible personal property occurs;

(C) “manufacturing or processing plant or facility” means a single, fixed location owned or controlled by a manufacturing or processing business that consists of one or more structures or buildings in a contiguous area where integrated production operations are conducted to manufacture or process tangible personal property to be ultimately sold at retail. Such term shall not include any facility primarily operated for the purpose of conveying or assisting in the conveyance of natural gas, electricity, oil or water. A business may operate one or more manufacturing or processing plants or facilities at different locations to manufacture or process a single product of tangible personal property to be ultimately sold at retail;

(D) “manufacturing or processing business” means a business that utilizes an integrated production operation to manufacture, process, fabricate, finish or assemble items for wholesale and retail distribution as part of what is commonly regarded by the general public as an industrial manufacturing or processing operation or an agricultural commodity processing operation. (i) Industrial manufacturing or processing operations include, by way of illustration but not of limitation, the fabrication of automobiles, airplanes, machinery or transportation equipment, the fabrication of metal, plastic, wood or paper products, electricity power generation, water treatment, petroleum refining, chemical production, wholesale bottling, newspaper printing, ready mixed concrete production, and the remanufacturing of used parts for wholesale or retail sale. Such processing operations shall include operations at an oil well, gas well, mine or other excavation site where the oil, gas, minerals, coal, clay, stone, sand or gravel that has been extracted from the earth is cleaned, separated, crushed, ground, milled, screened, washed or otherwise treated or prepared before its transmission to a refinery or before any other wholesale or retail distribution. (ii) Agricultural commodity processing operations include, by way of illustration but not of limitation, meat pack-

ing, poultry slaughtering and dressing, processing and packaging farm and dairy products in sealed containers for wholesale and retail distribution, feed grinding, grain milling, frozen food processing, and grain handling, cleaning, blending, fumigation, drying and aeration operations engaged in by grain elevators or other grain storage facilities. (iii) Manufacturing or processing businesses do not include, by way of illustration but not of limitation, nonindustrial businesses whose operations are primarily retail and that produce or process tangible personal property as an incidental part of conducting the retail business, such as retailers who bake, cook or prepare food products in the regular course of their retail trade, grocery stores, meat lockers and meat markets that butcher or dress livestock or poultry in the regular course of their retail trade, contractors who alter, service, repair or improve real property, and retail businesses that clean, service or refurbish and repair tangible personal property for its owner;

(E) “repair and replacement parts and accessories” means all parts and accessories for exempt machinery and equipment, including, but not limited to, dies, jigs, molds, patterns and safety devices that are attached to exempt machinery or that are otherwise used in production, and parts and accessories that require periodic replacement such as belts, drill bits, grinding wheels, grinding balls, cutting bars, saws, refractory brick and other refractory items for exempt kiln equipment used in production operations;

(F) “primary” or “primarily” mean more than 50% of the time.

(3) For purposes of this subsection, machinery and equipment shall be deemed to be used as an integral or essential part of an integrated production operation when used *to*:

(A) ~~To~~ Receive, transport, convey, handle, treat or store raw materials in preparation of its placement on the production line;

(B) ~~to~~ transport, convey, handle or store the property undergoing manufacturing or processing at any point from the beginning of the production line through any warehousing or distribution operation of the final product that occurs at the plant or facility;

(C) ~~to~~ act upon, effect, promote or otherwise facilitate a physical change to the property undergoing manufacturing or processing;

(D) ~~to~~ guide, control or direct the movement of property undergoing manufacturing or processing;

(E) ~~to~~ test or measure raw materials, the property undergoing manufacturing or processing or the finished product, as a necessary part of the manufacturer’s integrated production operations;

(F) ~~to~~ plan, manage, control or record the receipt and flow of inventories of raw materials, consumables and component parts, the flow of the property undergoing manufacturing or processing and the management of inventories of the finished product;

(G) ~~to~~ produce energy for, lubricate, control the operating of or otherwise enable the functioning of other production machinery and equipment and the continuation of production operations;

(H) ~~to~~ package the property being manufactured or processed in a container or wrapping in which such property is normally sold or transported;

(I) ~~to~~ transmit or transport electricity, coke, gas, water, steam or similar substances used in production operations from the point of generation, if produced by the manufacturer or processor at the plant site, to that manufacturer's production operation; or, if purchased or delivered from off-site, from the point where the substance enters the site of the plant or facility to that manufacturer's production operations;

(J) ~~to~~ cool, heat, filter, refine or otherwise treat water, steam, acid, oil, solvents or other substances that are used in production operations;

(K) ~~to~~ provide and control an environment required to maintain certain levels of air quality, humidity or temperature in special and limited areas of the plant or facility, where such regulation of temperature or humidity is part of and essential to the production process;

(L) ~~to~~ treat, transport or store waste or other byproducts of production operations at the plant or facility; or

(M) ~~to~~ control pollution at the plant or facility where the pollution is produced by the manufacturing or processing operation.

(4) The following machinery, equipment and materials shall be deemed to be exempt even though it may not otherwise qualify as machinery and equipment used as an integral or essential part of an integrated production operation: (A) Computers and related peripheral equipment that are utilized by a manufacturing or processing business for engineering of the finished product or for research and development or product design; (B) machinery and equipment that is utilized by a manufacturing or processing business to manufacture or rebuild tangible personal property that is used in manufacturing or processing operations, including tools, dies, molds, forms and other parts of qualifying machinery and equipment; (C) portable plants for aggregate concrete, bulk cement and asphalt including cement mixing drums to be attached to a motor vehicle; (D) industrial fixtures, devices, support facilities and special foundations necessary for manufacturing and production operations, and materials and other tangible personal property sold for the purpose of fabricating such fixtures, devices, facilities and foundations. An exemption certificate for such purchases shall be signed by the manufacturer or processor. If the fabricator purchases such material, the fabricator shall also sign the exemption certificate; (E) a manufacturing or processing business' laboratory equipment that is not located at the plant or facility, but that would otherwise qualify for exemption under subsection (3)(E); (F) all machinery and equipment used in surface mining activities as described

in K.S.A. 49-601 et seq., and amendments thereto, beginning from the time a reclamation plan is filed to the acceptance of the completed final site reclamation.

(5) “Machinery and equipment used as an integral or essential part of an integrated production operation” shall not include:

(A) Machinery and equipment used for nonproduction purposes, including, but not limited to, machinery and equipment used for plant security, fire prevention, first aid, accounting, administration, record keeping, advertising, marketing, sales or other related activities, plant cleaning, plant communications and employee work scheduling;

(B) machinery, equipment and tools used primarily in maintaining and repairing any type of machinery and equipment or the building and plant;

(C) transportation, transmission and distribution equipment not primarily used in a production, warehousing or material handling operation at the plant or facility, including the means of conveyance of natural gas, electricity, oil or water, and equipment related thereto, located outside the plant or facility;

(D) office machines and equipment including computers and related peripheral equipment not used directly and primarily to control or measure the manufacturing process;

(E) furniture and other furnishings;

(F) buildings, other than exempt machinery and equipment that is permanently affixed to or becomes a physical part of the building, and any other part of real estate that is not otherwise exempt;

(G) building fixtures that are not integral to the manufacturing operation, such as utility systems for heating, ventilation, air conditioning, communications, plumbing or electrical;

(H) machinery and equipment used for general plant heating, cooling and lighting;

(I) motor vehicles that are registered for operation on public highways; or

(J) employee apparel, except safety and protective apparel that is purchased by an employer and furnished gratuitously to employees who are involved in production or research activities.

(6) ~~Subsections~~ Paragraphs (3) and (5) shall not be construed as exclusive listings of the machinery and equipment that qualify or do not qualify as an integral or essential part of an integrated production operation. When machinery or equipment is used as an integral or essential part of production operations part of the time and for nonproduction purposes at other times, the primary use of the machinery or equipment shall determine whether or not such machinery or equipment qualifies for exemption.

(7) The secretary of revenue shall adopt rules and regulations necessary to administer the provisions of this subsection;

(ll) all sales of educational materials purchased for distribution to the public at no charge by a nonprofit corporation organized for the purpose of encouraging, fostering and conducting programs for the improvement of public health, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such materials purchased by a nonprofit corporation which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(mm) all sales of seeds and tree seedlings; fertilizers, insecticides, herbicides, germicides, pesticides and fungicides; and services, purchased and used for the purpose of producing plants in order to prevent soil erosion on land devoted to agricultural use;

(nn) except as otherwise provided in this act, all sales of services rendered by an advertising agency or licensed broadcast station or any member, agent or employee thereof;

(oo) all sales of tangible personal property purchased by a community action group or agency for the exclusive purpose of repairing or weatherizing housing occupied by low-income individuals;

(pp) all sales of drill bits and explosives actually utilized in the exploration and production of oil or gas;

(qq) all sales of tangible personal property and services purchased by a nonprofit museum or historical society or any combination thereof, including a nonprofit organization that is organized for the purpose of stimulating public interest in the exploration of space by providing educational information, exhibits and experiences, that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986;

(rr) all sales of tangible personal property that will admit the purchaser thereof to any annual event sponsored by a nonprofit organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such tangible personal property purchased by a nonprofit organization which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(ss) all sales of tangible personal property and services purchased by a public broadcasting station licensed by the federal communications commission as a noncommercial educational television or radio station;

(tt) all sales of tangible personal property and services purchased by or on behalf of a not-for-profit corporation that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the sole purpose of constructing a Kansas Korean War memorial;

(uu) all sales of tangible personal property and services purchased by or on behalf of any rural volunteer fire-fighting organization for use exclusively in the performance of its duties and functions;

(vv) all sales of tangible personal property purchased by any of the following organizations that are exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the following purposes, and all sales of any such property by or on behalf of any such organization for any such purpose:

(1) The American heart association, Kansas affiliate, inc. for the purposes of providing education, training, certification in emergency cardiac care, research and other related services to reduce disability and death from cardiovascular diseases and stroke;

(2) the Kansas alliance for the mentally ill, inc. for the purpose of advocacy for persons with mental illness and to education, research and support for their families;

(3) the Kansas mental illness awareness council for the purposes of advocacy for persons who are mentally ill and for education, research and support for them and their families;

(4) the American diabetes association Kansas affiliate, inc. for the purpose of eliminating diabetes through medical research, public education focusing on disease prevention and education, patient education including information on coping with diabetes, and professional education and training;

(5) the American lung association of Kansas, inc. for the purpose of eliminating all lung diseases through medical research, public education including information on coping with lung diseases, professional education and training related to lung disease and other related services to reduce the incidence of disability and death due to lung disease;

(6) the Kansas chapters of the Alzheimer's disease and related disorders association, inc. for the purpose of providing assistance and support to persons in Kansas with Alzheimer's disease, and their families and caregivers;

(7) the Kansas chapters of the Parkinson's disease association for the purpose of eliminating Parkinson's disease through medical research and public and professional education related to such disease;

(8) the national kidney foundation of Kansas and western Missouri for the purpose of eliminating kidney disease through medical research and public and private education related to such disease;

(9) the heartstrings community foundation for the purpose of providing training, employment and activities for adults with developmental disabilities;

(10) the cystic fibrosis foundation, heart of America chapter, for the purposes of assuring the development of the means to cure and control cystic fibrosis and improving the quality of life for those with the disease;

(11) the spina bifida association of Kansas for the purpose of providing financial, educational and practical aid to families and individuals with spina bifida. Such aid includes, but is not limited to, funding for medical devices, counseling and medical educational opportunities;

(12) the CHWC, Inc., for the purpose of rebuilding urban core neighborhoods through the construction of new homes, acquiring and renovating existing homes and other related activities, and promoting economic development in such neighborhoods;

(13) the cross-lines cooperative council for the purpose of providing social services to low income individuals and families;

(14) the dreams work, inc., for the purpose of providing young adult day services to individuals with developmental disabilities and assisting families in avoiding institutional or nursing home care for a developmentally disabled member of their family;

(15) the KSDS, Inc., for the purpose of promoting the independence and inclusion of people with disabilities as fully participating and contributing members of their communities and society through the training and providing of guide and service dogs to people with disabilities, and providing disability education and awareness to the general public;

(16) the lyme association of greater Kansas City, Inc., for the purpose of providing support to persons with lyme disease and public education relating to the prevention, treatment and cure of lyme disease;

(17) the dream factory, inc., for the purpose of granting the dreams of children with critical and chronic illnesses;

(18) the Ottawa Suzuki strings, inc., for the purpose of providing students and families with education and resources necessary to enable each child to develop fine character and musical ability to the fullest potential;

(19) the international association of lions clubs for the purpose of creating and fostering a spirit of understanding among all people for humanitarian needs by providing voluntary services through community involvement and international cooperation;

(20) the Johnson county young matrons, inc., for the purpose of promoting a positive future for members of the community through volunteerism, financial support and education through the efforts of an all volunteer organization;

(21) the American cancer society, inc., for the purpose of eliminating cancer as a major health problem by preventing cancer, saving lives and diminishing suffering from cancer, through research, education, advocacy and service;

(22) the community services of Shawnee, inc., for the purpose of providing food and clothing to those in need;

(23) the angel babies association, for the purpose of providing assistance, support and items of necessity to teenage mothers and their babies; and

(24) the Kansas fairgrounds foundation for the purpose of the preservation, renovation and beautification of the Kansas state fairgrounds;

(ww) all sales of tangible personal property purchased by the habitat for humanity for the exclusive use of being incorporated within a housing project constructed by such organization;

(xx) all sales of tangible personal property and services purchased by a nonprofit zoo that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, or on behalf of such zoo by an entity itself exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986 contracted with to operate such zoo and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any nonprofit zoo that would be exempt from taxation under the provisions of this section if purchased directly by such nonprofit zoo or the entity operating such zoo. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any nonprofit zoo. When any nonprofit zoo shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the nonprofit zoo concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the nonprofit zoo concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, em-

ployee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(yy) all sales of tangible personal property and services purchased by a parent-teacher association or organization, and all sales of tangible personal property by or on behalf of such association or organization;

(zz) all sales of machinery and equipment purchased by over-the-air, free access radio or television station that is used directly and primarily for the purpose of producing a broadcast signal or is such that the failure of the machinery or equipment to operate would cause broadcasting to cease. For purposes of this subsection, machinery and equipment shall include, but not be limited to, that required by rules and regulations of the federal communications commission, and all sales of electricity which are essential or necessary for the purpose of producing a broadcast signal or is such that the failure of the electricity would cause broadcasting to cease;

(aaa) all sales of tangible personal property and services purchased by a religious organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and used exclusively for religious purposes, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any

materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after July 1, 1998, but prior to the effective date of this act upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(bbb) all sales of food for human consumption by an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, pursuant to a food distribution program that offers such food at a price below cost in exchange for the performance of community service by the purchaser thereof;

(ccc) on and after July 1, 1999, all sales of tangible personal property and services purchased by a primary care clinic or health center the primary purpose of which is to provide services to medically underserved individuals and families, and that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such clinic or center that would be exempt from taxation under the provisions of this section if purchased directly by such clinic or center, except that for

taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such tangible personal property and services purchased by a primary care clinic or health center which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such clinic or center. When any such clinic or center shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such clinic or center concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such clinic or center concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(ddd) on and after January 1, 1999, and before January 1, 2000, all sales of materials and services purchased by any class II or III railroad as classified by the federal surface transportation board for the construction, renovation, repair or replacement of class II or III railroad track and facilities used directly in interstate commerce. In the event any such

track or facility for which materials and services were purchased sales tax exempt is not operational for five years succeeding the allowance of such exemption, the total amount of sales tax that would have been payable except for the operation of this subsection shall be recouped in accordance with rules and regulations adopted for such purpose by the secretary of revenue;

(eee) on and after January 1, 1999, and before January 1, 2001, all sales of materials and services purchased for the original construction, reconstruction, repair or replacement of grain storage facilities, including railroad sidings providing access thereto;

(fff) all sales of material handling equipment, racking systems and other related machinery and equipment that is used for the handling, movement or storage of tangible personal property in a warehouse or distribution facility in this state; all sales of installation, repair and maintenance services performed on such machinery and equipment; and all sales of repair and replacement parts for such machinery and equipment. For purposes of this subsection, a warehouse or distribution facility means a single, fixed location that consists of buildings or structures in a contiguous area where storage or distribution operations are conducted that are separate and apart from the business' retail operations, if any, and that do not otherwise qualify for exemption as occurring at a manufacturing or processing plant or facility. Material handling and storage equipment shall include aeration, dust control, cleaning, handling and other such equipment that is used in a public grain warehouse or other commercial grain storage facility, whether used for grain handling, grain storage, grain refining or processing, or other grain treatment operation;

(ggg) all sales of tangible personal property and services purchased by or on behalf of the Kansas academy of science, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and used solely by such academy for the preparation, publication and dissemination of education materials;

(hhh) all sales of tangible personal property and services purchased by or on behalf of all domestic violence shelters that are member agencies of the Kansas coalition against sexual and domestic violence;

(iii) all sales of personal property and services purchased by an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and such personal property and services are used by any such organization in the collection, storage and distribution of food products to nonprofit organizations that distribute such food products to persons pursuant to a food distribution program on a charitable basis without fee or charge, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing,

enlarging, furnishing or remodeling facilities used for the collection and storage of such food products for any such organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after July 1, 2005, but prior to the effective date of this act upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall

be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(jjj) all sales of dietary supplements dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto. As used in this subsection, "dietary supplement" means any product, other than tobacco, intended to supplement the diet that: (1) Contains one or more of the following dietary ingredients: A vitamin, a mineral, an herb or other botanical, an amino acid, a dietary substance for use by humans to supplement the diet by increasing the total dietary intake or a concentrate, metabolite, constituent, extract or combination of any such ingredient; (2) is intended for ingestion in tablet, capsule, powder, softgel, gelcap or liquid form, or if not intended for ingestion, in such a form, is not represented as conventional food and is not represented for use as a sole item of a meal or of the diet; and (3) is required to be labeled as a dietary supplement, identifiable by the supplemental facts box found on the label and as required pursuant to 21 C.F.R. § 101.36;

(lll) all sales of tangible personal property and services purchased by special olympics Kansas, inc. for the purpose of providing year-round sports training and athletic competition in a variety of olympic-type sports for individuals with intellectual disabilities by giving them continuing opportunities to develop physical fitness, demonstrate courage, experience joy and participate in a sharing of gifts, skills and friendship with their families, other special olympics athletes and the community, and activities provided or sponsored by such organization, and all sales of tangible personal property by or on behalf of any such organization;

(mmm) all sales of tangible personal property purchased by or on behalf of the Marillac center, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing psycho-social-biological and special education services to children, and all sales of any such property by or on behalf of such organization for such purpose;

(nnn) all sales of tangible personal property and services purchased by the west Sedgwick county-sunrise rotary club and sunrise charitable fund for the purpose of constructing a boundless playground which is an integrated, barrier free and developmentally advantageous play environment for children of all abilities and disabilities;

(ooo) all sales of tangible personal property by or on behalf of a public library serving the general public and supported in whole or in part with

tax money or a not-for-profit organization whose purpose is to raise funds for or provide services or other benefits to any such public library;

(ppp) all sales of tangible personal property and services purchased by or on behalf of a homeless shelter that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal income tax code of 1986, and used by any such homeless shelter to provide emergency and transitional housing for individuals and families experiencing homelessness, and all sales of any such property by or on behalf of any such homeless shelter for any such purpose;

(qqq) all sales of tangible personal property and services purchased by TLC for children and families, inc., hereinafter referred to as TLC, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and such property and services are used for the purpose of providing emergency shelter and treatment for abused and neglected children as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of TLC for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for TLC for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by TLC. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for TLC. When TLC contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to TLC a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be

determined that such materials will not be used for the purpose for which such certificate was issued, TLC shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(rrr) all sales of tangible personal property and services purchased by any county law library maintained pursuant to law and sales of tangible personal property and services purchased by an organization that would have been exempt from taxation under the provisions of this subsection if purchased directly by the county law library for the purpose of providing legal resources to attorneys, judges, students and the general public, and all sales of any such property by or on behalf of any such county law library;

(sss) all sales of tangible personal property and services purchased by catholic charities or youthville, hereinafter referred to as charitable family providers, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing emergency shelter and treatment for abused and neglected children as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of charitable family providers for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for charitable family providers for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by charitable family providers. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for charitable family providers. When charitable family providers contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon

completion of the project the contractor shall furnish to charitable family providers a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, charitable family providers shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(ttt) all sales of tangible personal property or services purchased by a contractor for a project for the purpose of restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility owned by a nonprofit museum that has been granted an exemption pursuant to subsection (qq), which such home or facility is located in a city that has been designated as a qualified hometown pursuant to the provisions of K.S.A. 75-5071 et seq., and amendments thereto, and which such project is related to the purposes of K.S.A. 75-5071 et seq., and amendments thereto, and that would be exempt from taxation under the provisions of this section if purchased directly by such nonprofit museum. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility for any such nonprofit museum. When any such nonprofit museum shall contract for the purpose of restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such

purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such nonprofit museum a sworn statement on a form to be provided by the director of taxation that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in a home or facility or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such nonprofit museum shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(uuu) all sales of tangible personal property and services purchased by Kansas children's service league, hereinafter referred to as KCSL, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing for the prevention and treatment of child abuse and maltreatment as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of KCSL for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for KCSL for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by KCSL. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for KCSL. When KCSL contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project in-

volved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to KCSL a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, KCSL shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(vvv) all sales of tangible personal property or services, including the renting and leasing of tangible personal property or services, purchased by jazz in the woods, inc., a Kansas corporation that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing jazz in the woods, an event benefiting children-in-need and other nonprofit charities assisting such children, and all sales of any such property by or on behalf of such organization for such purpose;

(www) all sales of tangible personal property purchased by or on behalf of the Frontenac education foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing education support for students, and all sales of any such property by or on behalf of such organization for such purpose;

(xxx) all sales of personal property and services purchased by the booth theatre foundation, inc., an organization, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal

revenue code of 1986, and which such personal property and services are used by any such organization in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling of the booth theatre, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling the booth theatre for such organization, that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after January 1, 2007, but prior to the effective date of this act upon the gross receipts

received from any sale which would have been exempted by the provisions of this subsection had such sale occurred after the effective date of this act shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(yyy) all sales of tangible personal property and services purchased by TLC charities foundation, inc., hereinafter referred to as TLC charities, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of encouraging private philanthropy to further the vision, values, and goals of TLC for children and families, inc.; and all sales of such property and services by or on behalf of TLC charities for any such purpose and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for TLC charities for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by TLC charities. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for TLC charities. When TLC charities contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to TLC charities a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be incorporated into the building or other project reported and paid by such contractor to the director of taxation not later

than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, TLC charities shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(zzzz) all sales of tangible personal property purchased by the rotary club of shawnee foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, as amended, used for the purpose of providing contributions to community service organizations and scholarships;

(aaaa) all sales of personal property and services purchased by or on behalf of victory in the valley, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing a cancer support group and services for persons with cancer, and all sales of any such property by or on behalf of any such organization for any such purpose;

(bbbb) all sales of entry or participation fees, charges or tickets by Guadalupe health foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for such organization's annual fundraising event which purpose is to provide health care services for uninsured workers;

(cccc) all sales of tangible personal property or services purchased by or on behalf of wayside waifs, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing such organization's annual fundraiser, an event whose purpose is to support the care of homeless and abandoned animals, animal adoption efforts, education programs for children and efforts to reduce animal over-population and animal welfare services, and all sales of any such property, including entry or participation fees or charges, by or on behalf of such organization for such purpose;

(dddd) all sales of tangible personal property or services purchased by or on behalf of goodwill industries or Easter seals of Kansas, inc., both of which are exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing education, training and employment opportunities for people with disabilities and other barriers to employment;

(eeee) all sales of tangible personal property or services purchased by or on behalf of all American beef battalion, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of educating, promoting and participating as a contact group through the beef cattle industry in order to carry out such projects that provide support and morale to members of the United States armed forces and military services;

(ffff) all sales of tangible personal property and services purchased by sheltered living, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing residential and day services for people with developmental disabilities or intellectual disability, or both, and all sales of any such property by or on behalf of sheltered living, inc., for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling homes and facilities for sheltered living, inc., for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by sheltered living, inc. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such homes and facilities for sheltered living, inc. When sheltered living, inc., contracts for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling such homes and facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to sheltered living, inc., a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued,

sheltered living, inc., shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(gggg) all sales of game birds for which the primary purpose is use in hunting;

(hhhh) all sales of tangible personal property or services purchased on or after July 1, 2014, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business identified under the North American industry classification system (NAICS) subsectors 1123, 1124, 112112, 112120 or 112210, and the sale and installation of machinery and equipment purchased for installation at any such business. The exemption provided in this subsection shall not apply to projects that have actual total costs less than \$50,000. When a person contracts for the construction, reconstruction, enlargement or remodeling of any such business, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to the owner of the business a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor of the contractor, who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(iiii) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for Wichita children's home for any such purpose that would be exempt

from taxation under the provisions of this section if purchased directly by Wichita children's home. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for Wichita children's home. When Wichita children's home contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to Wichita children's home a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, Wichita children's home shall be liable for the tax on all materials purchased for the project, and upon payment, it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(jjjj) all sales of tangible personal property or services purchased by or on behalf of the beacon, inc., that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing those desiring help with food, shelter, clothing and other necessities of life during times of special need;

(kkkk) all sales of tangible personal property and services purchased by or on behalf of reaching out from within, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of sponsoring self-help programs

for incarcerated persons that will enable such incarcerated persons to become role models for non-violence while in correctional facilities and productive family members and citizens upon return to the community;

(llll) all sales of tangible personal property and services purchased by Gove county healthcare endowment foundation, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of constructing and equipping an airport in Quinter, Kansas, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing and equipping an airport in Quinter, Kansas, for such organization, that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing or equipping of facilities for such organization. When such organization shall contract for the purpose of constructing or equipping an airport in Quinter, Kansas, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation no later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments

thereto. The provisions of this subsection shall expire and have no effect on and after July 1, 2019;

(mmmm) all sales of gold or silver coins; and palladium, platinum, gold or silver bullion. For the purposes of this subsection, “bullion” means bars, ingots or commemorative medallions of gold, silver, platinum, palladium, or a combination thereof, for which the value of the metal depends on its content and not the form; ~~and~~

(nnnn) all sales of tangible personal property or services purchased by friends of hospice of Jefferson county, an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the purpose of providing support to the Jefferson county hospice agency in end-of-life care of Jefferson county families, friends and neighbors, and all sales of entry or participation fees, charges or tickets by friends of hospice of Jefferson county for such organization’s fundraising event for such purpose; *and*

(oooo) all sales of tangible personal property or services purchased for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a qualified business facility by a qualified firm or qualified supplier that meets the requirements established in sections 2 and 9, and amendments thereto, and that has been approved for a project exemption certificate by the secretary of commerce, and the sale and installation of machinery and equipment purchased by such qualified firm or qualified supplier for installation at any such qualified business facility. When a person shall contract for the construction, reconstruction, enlargement or remodeling of any such qualified business facility, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to the owner of the qualified firm or qualified supplier a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. As

used in this subsection, “qualified business facility,” “qualified firm” and “qualified supplier” mean the same as defined in section 1, and amendments thereto.

Sec. 17. K.S.A. 79-32,110 and K.S.A. 2021 Supp. 79-3606 are hereby repealed.

Sec. 18. This act shall take effect and be in force from and after its publication in the Kansas register.

Approved February 10, 2022.

Published in the *Kansas Register* February 10, 2022.

CHAPTER 4

SENATE BILL No. 337

AN ACT concerning financial institutions; relating to the technology-enabled fiduciary financial institutions act; pertaining to the pilot program; converting the conditional charter to a full fiduciary financial institution charter; amending K.S.A. 2021 Supp. 9-2325 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2021 Supp. 9-2325 is hereby amended to read as follows: 9-2325. (a) On July 1, 2021, the commissioner shall:

(1) Grant a conditional fiduciary financial institution charter to the Beneficient company upon the Beneficient company:

(A) Filing an application with the commissioner;

(B) satisfying the requirements of K.S.A. 2021 Supp. 9-2302(c)(1) through (5), and amendments thereto;

(C) satisfying the requirements of K.S.A. 2021 Supp. 9-2302(f), and amendments thereto; and

(D) satisfying the capital requirements imposed under K.S.A. 2021 Supp. 9-2305, and amendments thereto; and

(2) designate a community within Harvey county, as selected by Beneficient fiduciary financial institution, as the first economic growth zone.

(b) On July 1, 2021, the commissioner shall establish a fidfin fiduciary financial institution pilot program that:

(1) Includes the Beneficient company as a participant in such pilot program;

(2) assesses the Beneficient company an initial fee of \$1,000,000 in lieu of the initial fee provided in K.S.A. 2021 Supp. 9-2303, and amendments thereto; and

(3) imposes a requirement for the Beneficient company to distribute, cause to be distributed or otherwise facilitate a distribution of cash, beneficial interests or other assets having an aggregate value of \$9,000,000 in accordance with the requirements of K.S.A. 2021 Supp. 9-2302(i), and amendments thereto, and such amount shall be construed as the applicable distribution amount for purposes of K.S.A. 2021 Supp. 9-2302, and amendments thereto.

(c) Except as provided by subsection (d), upon issuance of the conditional fiduciary financial institution charter, the Beneficient company shall be subject to all requirements imposed on fiduciary financial institutions under this act but may not commence fidfin transactions, custodial services or trust business in this state until the earlier of:

(1) December 31, 2021; or

(2) the date the commissioner adopts rules and regulations pursuant to K.S.A. 2021 Supp. 9-2322, and amendments thereto.

(d) (1) *On December 31, 2021, the conditional charter granted under this section to the Beneficient company shall be converted to a full fiduciary financial institution charter.*

(2) The commissioner may extend the period that the Beneficient company may not commence fidfin transactions, custodial services or trust business in this state for a period not to exceed six months from the date specified in subsection (c) if the commissioner submits a report to the senate financial institutions and insurance committee and to the house of representatives financial institutions and rural development committee identifying the specific reasons for which such extension is necessary. Such report shall be submitted on or before January 10, 2022. Notwithstanding the provisions of this subsection, the Beneficient company may satisfy the applicable distribution requirement of K.S.A. 2021 Supp. 9-2302(i), and amendments thereto, and the required distribution amount in K.S.A. 2021 Supp. 9-2311(f), and amendments thereto, by placing assets in escrow with one or more qualified charities, except that such funds shall be released when the Beneficient company is permitted to commence fidfin transactions, custodial services or trust business.

(e) On or before January 10, 2022, the office of the state bank commissioner shall provide a report to the house of representatives financial institutions and rural development committee and the senate financial institutions and insurance committee updating such committees on the progress of such pilot program. Such report shall include recommendations from the office of the state bank commissioner for any legislation necessary to implement the provisions of this act.

Sec. 2. K.S.A. 2021 Supp. 9-2325 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

Approved February 25, 2022.

Published in the *Kansas Register* March 10, 2022.

CHAPTER 5

SENATE BILL No. 358

AN ACT concerning water; relating to the financing of public water supply projects; allowing financing for projects that are related to the diversion or transportation of water acquired through a water transfer; amending K.S.A. 65-163d and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 65-163d is hereby amended to read as follows: 65-163d. As used in K.S.A. 65-163d through 65-163u, and amendments thereto:

(a) “Fund” means the public water supply loan fund established by K.S.A. 65-163e, and amendments thereto.

(b) “Municipality” means: (1) Any political or taxing subdivision authorized by law to construct, operate and maintain a public water supply system, including water districts; (2) two or more such subdivisions jointly constructing, operating or maintaining a public water supply system; or (3) the Kansas rural water finance authority.

(c) “Project” means any acquisition, construction, reconstruction, improvement, equipping, rehabilitation or extension of all or any part of a public water supply system. ~~“Project” does not include any project related to the diversion or transportation of water acquired through a water transfer, as defined by K.S.A. 82a-1501 and amendments thereto.~~

(d) “Project costs” means all costs or expenses which are necessary or incident to a project and which are directly attributable thereto.

(e) “Public water supply system” has the meaning provided by K.S.A. 65-162a, and amendments thereto.

(f) “Secretary” means the secretary of health and environment.

Sec. 2. K.S.A. 65-163d is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

Approved March 9, 2022.

CHAPTER 6

HOUSE BILL No. 2591

AN ACT repealing K.S.A. 2021 Supp. 55-193; concerning the state corporation commission; relating to certain fund transfers to the abandoned oil and gas well fund.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2021 Supp. 55-193 is hereby repealed.

Sec. 2. This act shall take effect and be in force from and after its publication in the Kansas register.

Approved March 22, 2022.

Published in the *Kansas Register* March 31, 2022.

CHAPTER 7

HOUSE BILL No. 2594

AN ACT concerning motor vehicles; relating to vehicle identification numbers; exempting certain modifications on antique vehicles from vehicle identification number offense seizures and dispositions; amending K.S.A. 2021 Supp. 8-116 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2021 Supp. 8-116 is hereby amended to read as follows: 8-116. (a) It is unlawful to sell, barter or exchange any motor vehicle, trailer or semitrailer, the original vehicle identification number of which has been destroyed, removed, altered or defaced, except as contemplated by K.S.A. 8-116a, and amendments thereto, when no part of the motor vehicle, trailer or semitrailer has been stolen and a vehicle identification number has been assigned to the motor vehicle according to law. Violation of this subsection ~~(a)~~ is a severity level 10, nonperson felony.

(b) It is unlawful to knowingly own or have the custody or possession of a motor vehicle, trailer or semitrailer, the original vehicle identification number of which has been destroyed, removed, altered or defaced, except as contemplated by K.S.A. 8-116a, and amendments thereto, when no part of the motor vehicle, trailer or semitrailer has been stolen and a vehicle identification number has been assigned to the motor vehicle according to law. Violation of this subsection ~~(b)~~ is a class C *nonperson* misdemeanor.

(c) Any person who shall destroy, remove, alter or deface any vehicle identification number, except as contemplated by K.S.A. 8-116a, and amendments thereto, when no part of the motor vehicle, trailer or semitrailer has been stolen, is guilty of a severity level 10, nonperson felony.

(d) Every law enforcement officer in this state having knowledge of a motor vehicle, trailer or semitrailer, the vehicle identification number of which has been destroyed, removed, altered or defaced, shall seize and take possession of such motor vehicle, trailer or semitrailer.

(e) Every motor vehicle, trailer or semitrailer, the vehicle identification number of which has been destroyed, removed, altered or defaced, ~~which~~ *and that* has been seized under this section is an article of contraband and the provisions of K.S.A. 22-2512, and amendments thereto, shall apply.

(f) No law enforcement agency or employee of such agency acting within the scope of employment shall be liable for damages resulting from the adoption or enforcement of any policy adopted under this section.

(g) *The provisions of this section shall not apply when a person removes and reinstalls a manufacturer's serial number or a vehicle identification number on an antique vehicle, as defined in K.S.A. 2021 Supp. 8-166, and amendments thereto, if:*

(1) *The removal and reinstallation are reasonably necessary for the repair or restoration of the antique vehicle;*

(2) *the person completing the repair or restoration of the antique vehicle reinstalls the manufacturer's serial number or vehicle identification number immediately after the repair or restoration is complete; and*

(3) *the person does not know and has no reason to know that the antique vehicle is stolen.*

Sec. 2. K.S.A. 2021 Supp. 8-116 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

Approved March 22, 2022.

Published in the *Kansas Register* March 31, 2022.

CHAPTER 8

HOUSE BILL No. 2329

AN ACT concerning pipeline safety; relating to the state corporation commission; pipeline safety program; entities who are subject to the program; amending K.S.A. 66-1,150 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 66-1,150 is hereby amended to read as follows: 66-1,150. (a) The state corporation commission is hereby authorized to adopt such rules and regulations as may be necessary to ~~be in~~ ensure conformance with the natural gas pipeline safety act of 1968~~–~~, 49 U.S.C. § 60101 et seq.), as amended. Notwithstanding the exemption provisions of K.S.A. 66-104 and 66-131, and amendments thereto, and related statutes, for the purpose of gas pipeline safety such rules and regulations shall be applicable to:

(1) All public utilities and all municipal corporations or quasi-municipal corporations transporting natural gas or rendering gas utility service;

(2) all operators of master meter systems, as defined by 49 C.F.R. § 191.3;

(3) *all operators of gathering lines, as defined in 49 C.F.R. § 192.3. This paragraph shall not apply to gathering lines that are not regulated under 49 C.F.R. part 192;*

(4) all operators of privately or publicly owned pipelines providing natural gas service or transportation directly to the ultimate consumer for the purpose of manufacturing goods or generating power; and

~~(4)(5)~~ providers of rural gas service under the provisions of K.S.A. 66-2101 through 66-2106, and amendments thereto.

(b) ~~As used in subsection (a)(3), “manufacturing goods” does not include farming or activities associated with production of oil or gas.~~

(e)—Nothing in this section shall be construed as invalidating any present rules or regulations of the state corporation commission, concerning the regulation of pipelines and pipeline companies.

Sec. 2. K.S.A. 66-1,150 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

Approved March 22, 2022.

CHAPTER 9

HOUSE BILL No. 2560

AN ACT concerning agriculture; relating to the Kansas department of agriculture; extending certain penalties, fees and program expiration dates; amending K.S.A. 82a-708a, 82a-708b, 82a-708c, 82a-714 and 82a-727 and K.S.A. 2021 Supp. 2-1205, 2-1930, 2-2440, 2-2440b, 2-2443a, 2-2445a, 2-3304 and 2-3306 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2021 Supp. 2-1205 is hereby amended to read as follows: 2-1205. (a) An inspection fee shall be collected upon all commercial fertilizers sold, offered or exposed for sale, or distributed in Kansas, which shall be at a rate per ton fixed by rules and regulations adopted by the secretary of agriculture, except that such rate shall not exceed \$1.67 per ton. The secretary of agriculture may adopt rules and regulations establishing the inspection fee rate under this section. Each person registering any commercial fertilizer shall pay the inspection fee on such commercial fertilizer sold, offered or exposed for sale, or distributed in Kansas. Each such ~~person~~ registrant shall keep adequate records showing the tonnage of each commercial fertilizer shipped to or sold, offered or exposed for sale, or distributed in Kansas. The secretary, and duly authorized representatives of the secretary, shall have authority to examine such records and other pertinent records necessary to verify the statement of tonnage.

(b) Each person registering any commercial fertilizer shall file an affidavit semiannually, with the secretary, within 30 days after each January 1 and each July 1, showing the tonnage of commercial fertilizer sold or distributed in Kansas for the preceding six-month period. Each such ~~person~~ registrant shall pay to the secretary the inspection fee due for such six-month period, except that the registrant shall not be required to pay the inspection fee or report the tonnage of commercial fertilizers or fertilizer materials sold and shipped directly to fertilizer manufacturers or mixers. The fertilizer manufacturers or mixers shall keep adequate records of the commercial fertilizers sold or distributed in this state, and report to the secretary the tonnage and pay the inspection fee due. If the affidavit is not filed and the inspection fee is not paid within the 30-day period, or if the report of tonnage is false, the secretary may revoke the registrations filed by such person. If the affidavit is not filed and the inspection fee is not paid within the 30-day period, or any extension thereof granted by the secretary, a penalty of \$10 per day shall be assessed against the registrant, except that on and after July 1, ~~2023~~ 2028, a penalty of \$5 per day shall be assessed against the registrant, and the inspection fee and penalty shall constitute a debt and become the basis for a judgment against such person. The secretary may grant a reasonable extension of time.

(c) (1) The secretary shall remit all moneys received by or for the secretary under article 12 of chapter 2 of *the* Kansas Statutes Annotated, and amendments thereto, to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury and shall credit such remittance as follows:

~~(a)~~(A) An amount equal to \$1.40 per ton shall be credited to the state water plan fund created by K.S.A. 82a-951, and amendments thereto;

~~(b)~~(B) an amount equal to \$.04 per ton shall be credited to the fertilizer research fund; and

~~(c)~~(C) the remainder shall be credited to the fertilizer fee fund.

(2) All expenditures from the fertilizer fee fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of agriculture or by a person or persons designated by the secretary.

(3) The secretary of agriculture shall reduce the inspection fee by adopting rules and regulations under this section whenever the secretary determines that the inspection fee is yielding more than is necessary for the purpose of administering the provisions of this act.

(4) The secretary may increase the inspection fee by adopting rules and regulations under this section when the secretary finds that such increase is necessary to produce sufficient revenues for the purpose of administering the provisions of this act, except that the inspection fee shall not be increased in excess of the maximum fee prescribed by this section.

Sec. 2. K.S.A. 2021 Supp. 2-1930 is hereby amended to read as follows: 2-1930. (a) As used in this section:

(1) “Division” means the division of conservation established within the Kansas department of agriculture in K.S.A. 74-5,126, and amendments thereto;

(2) “historic consumptive water use” means an amount of use of a water right as calculated pursuant to subsection (k); and

(3) “program” means the water right transition assistance program.

(b) There is hereby established the water right transition assistance program. The program shall be administered by the division. The Kansas department of agriculture division of water resources and recognized local governing agencies, including groundwater management districts, shall cooperate in program implementation. The program shall be administered for the purpose of reducing historic consumptive water use in the target or high priority areas of the state by issuing water right transition grants based on competitive bids for privately held water rights.

(c) (1) The division may receive and expend funds from the federal or

state government or a private source for the purpose of carrying out the provisions of this section. The division shall carry over unexpended funds from one fiscal year to the next.

(2) The maximum amount paid by the division shall not exceed a base rate per acre-foot of historic consumptive water use made available under the water right to be dismissed or permanently reduced. The division, in consultation with the commission, shall establish an annual base rate after considering recommendations from the chief engineer and the groundwater management districts regarding market conditions.

(d) The division may enter into water right transition assistance program contracts with landowners that will result in the permanent reduction of part or all of a landowner's historic consumptive water use by action of the chief engineer as provided for in subsection (f).

(e) All applications for permanent irrigation water right retirements shall be considered for funding. Permanent retirement of partial water rights shall only be approved by the Kansas department of agriculture division of water resources when the local groundwater management district has the metering and monitoring capabilities necessary to ensure compliance with the program.

(f) Applications for permanent water right retirement shall be prioritized for payment based on the following criteria:

- (1) The applicant's bid price;
- (2) the timing and extent of the impact of the application on aquifer restoration or stream recovery;
- (3) the impact on local water management strategies designated by the board of each groundwater management district or by the chief engineer for each target area; and
- (4) where rights with similar hydrologic impacts are considered, priority should be given to the senior right as determined under the Kansas water appropriation act.

(g) Water rights enrolled in the program for permanent retirement shall require the written consent of all landowners and authorized agents to voluntarily request permanent reduction or permanent dismissal and forfeiture of priority of the enrolled water right. Upon enrollment of the water right into the program, the chief engineer of the Kansas department of agriculture division of water resources shall concurrently permanently reduce or permanently dismiss and terminate the water right in accordance with the terms of the contract.

(h) (1) The division shall make water right transition grants available only in areas that have been designated as:

(A) Target areas by the groundwater management districts and the chief engineer of the Kansas department of agriculture division of water resources; or

(B) target areas outside the groundwater management districts by the chief engineer of the Kansas department of agriculture division of water resources.

(2) Each target area shall be in a groundwater aquifer, aquifer sub-unit, surface water basin, subbasin or stream reach that the chief engineer has closed to further appropriations except for domestic use, temporary permits, term permits for five years or less and small-use exemptions for 15 acre-feet or less, if the use, permit or exemption does not conflict with this program.

(3) The designation of each target area shall include the identification of a historic consumptive water use retirement goal. When such goal is reached, the target area shall be delisted.

(4) The designation of each target area shall include the identification of sub-regions that are to be prioritized for retirements among competing bids.

(i) Contracts accepted under the program shall result in a net reduction in historic consumptive water use in the target area. Except as provided for in subsections (l) and (m), once a water right transition assistance program grant has been provided, the land authorized to be irrigated by the water right or water rights associated with that grant shall not be irrigated permanently. Water right transition assistance program contracts shall be subject to such terms, conditions and limitations as may be necessary to ensure that such reduction in historic consumptive water use occurs and can be adequately monitored and enforced.

(j) Only vested or certified water rights that are in good standing shall be eligible for water right retirement grants.

(k) (1) The historic consumptive water use of a water right shall be determined by either:

(A) Calculating the average amount of water consumed by crops as a result of the lawful beneficial use of water during the 10 preceding calendar years of actual irrigation and multiplying the average reported water use for the 10 selected years by a factor of 0.85 for center pivot sprinkler irrigation systems, 0.75 for flood or gravity irrigation systems and 0.95 for subsurface drip irrigation systems, but not to exceed the net irrigation requirements for the 50% chance rainfall for the appropriate county as shown in K.A.R. 5-5-12; or

(B) calculating the available pumping capacity of a water right by multiplying a flow rate test for each point of diversion applied to be retired under the water right by a theoretical pumping duration of 100 days multiplied by an efficiency factor of 0.85 for center pivot sprinkler irrigation systems, 0.75 for flood or gravity irrigation systems and 0.95 for subsurface drip irrigation systems, but not to exceed the authorized quantity of the water right or the net irrigation requirements for the 50% chance

rainfall for the appropriate county as shown in K.A.R. 5-5-12. Flow rate tests must have been conducted not less than one year prior to the application date and certified as acceptable by the local groundwater management district or the chief engineer; ~~or.~~

(2) The applicant may also submit an engineering study that determines the average historic consumptive water use as an alternative method if it is demonstrated to be more accurate for the water right or water rights involved.

(l) Enrollment of an entire water right or a portion of a water right where land associated with the quantity is being permanently reduced from the water right in the program shall not subsequently prohibit irrigation of the land that, prior to enrollment, was authorized by the water right or water rights if irrigation can be lawfully allowed by another water right or permit pursuant to the rules and regulations and consideration of any future changes to other water rights that may be proposed to be transferred to such land.

(m) If more than one water right overlaps the place of use authorized by the water right proposed to be enrolled in the program, then all overlapping water rights shall be enrolled in the program or the landowners shall take the necessary lawful steps to eliminate the overlap with the water right to be enrolled. The burden shall be on the landowner to provide sufficient information to substantiate that the proposed use of water by the resulting exercise of all water rights involved will result in the net reduction amount of historic consumptive water use by the water right or water rights to be enrolled. The division may require such documentation to be provided by someone with special knowledge or experience related to water rights and such operations.

(n) The division shall adopt rules and regulations as necessary for the administration of this section. When adopting such rules and regulations, the division shall consider cropping, system design, metered water use and all other pertinent information that will permit a verifiable reduction in historic consumptive water use and permit alternative crop or other use of the land so that the landowner's economic opportunities are taken into account.

(o) The division shall hold a meeting in each target area designated after July 1, 2012, prior to entering into any water right transition assistance program contract for the permanent retirement of part or all of landowner water rights in such target area. Such meetings shall inform the public of the possible economic and hydrologic impacts of the program. The division shall provide notice of such meetings through publication in local newspapers of record and in the Kansas register.

(p) The provisions of this section shall expire on July 1, ~~2022~~ 2030.

Sec. 3. K.S.A. 2021 Supp. 2-2440 is hereby amended to read as follows: 2-2440. (a) Subject to the provisions of subsection (d), it is unlawful

for any pesticide business ~~which~~ *that* has not been issued a pesticide business license to:

(1) Advertise, offer for sale, sell or perform any service for the control of a pest on the property of another or apply a pesticide to the property of another within this state; or

(2) perform any service for the control of a pest or apply any pesticide on or at the premises of another person under any commission, division of receipts or subcontracting arrangement with a licensed pesticide business.

Nothing in this subsection shall be construed to require the licensing of any person applying restricted use pesticides to the property of another as a certified private applicator or under the supervision of a certified private applicator.

(b) Application for a pesticide business license or renewal shall be made on a form obtained from the secretary and shall be accompanied by an application fee per category in which the licensee applies, and an additional fee for each uncertified individual employed by the applicant to apply pesticides. The application fee per category shall be \$140 per category in which the licensee applies, except that on and after July 1, ~~2023~~ 2028, the application fee per category shall be \$112 per category in which the licensee applies. An additional fee of \$15 shall be paid for each uncertified individual employed by the applicant to apply pesticides, except that on and after July 1, ~~2023~~ 2028, an additional fee of \$10 shall be paid for each uncertified individual employed by the applicant to apply pesticides. The application fee per category and the additional fee for each uncertified employee in effect on the day preceding the effective date of this act shall continue in effect until the secretary adopts rules and regulations fixing a different fee under this subsection. Any uncertified individual employed for a period of more than 10 days in a 30-day period or for five consecutive days by a licensee to apply pesticides subsequent to such application shall be reported to the secretary within 30 days of such employee's hiring and the fee shall be paid at that time. Each application shall also include the following:

(1) The business name of the person applying for such license or renewal;

(2) if the applicant is an individual, receiver, trustee, representative, agent, firm, partnership, association, corporation or other organized group of persons, whether or not incorporated, the full name of each owner of the firm or partnership or the names of the officers of the association, corporation or group;

(3) the principal business address of the applicant in the state and elsewhere; and

(4) any other information the secretary, by rules and regulations, deems necessary for the administration of this act.

(c) The secretary may issue a pesticide business license to apply pesticides in categories for which an applicant has applied if the applicant files the bond, insurance, letter of credit or proof of an escrow account as required under K.S.A. 2-2448, and amendments thereto, satisfies the requirements of subsection (b), and pays the required fees. Such license shall expire at the end of the calendar year for which it is issued unless it has been revoked or suspended prior thereto. If a license is not issued as applied for, the secretary shall inform the applicant in writing of the reasons therefor.

(d) The following persons shall be exempted from the licensing requirements of this act:

(1) State or federal personnel using pesticides or pest control services while engaged in pesticide use research;

(2) veterinarians or physicians using pesticides as a part of their professional services; and

(3) any person or such person's employee who applies pesticides on or at premises owned, leased or operated by such person.

(e) Subject to the provisions of subsection (d), it is unlawful for any governmental agency ~~which~~ *that* has not been issued a government agency registration to apply pesticides within this state. Application for government agency registration shall be made on a form obtained from the secretary and shall be accompanied by a fee fixed by rules and regulations adopted by the secretary, except that such fee shall not exceed \$50, except that on and after July 1, ~~2023~~ 2028, such fee shall not exceed \$35. The governmental agency registration fee in effect on the day preceding the effective date of this act shall continue in effect until the secretary adopts rules and regulations fixing a different fee therefor under this subsection. No fee shall be required of any township located within a county ~~which~~ *that* has previously applied for and received government agency registration. Each application for registration shall contain information including, but not limited to:

(1) The name of the government agency;

(2) the mailing address of the applicant;

(3) the name and mailing address of the person who heads such agency and who is authorized to receive correspondence and legal papers. Such person shall be: (A) The mayor or city manager for municipalities; (B) the chairperson of the board of county commissioners for counties; (C) the township trustee for townships; or (D) any person designated by any other governmental agency; and

(4) any other information the secretary, by rules and regulations, deems necessary for the administration of this act.

(f) If the secretary finds the application to be sufficient, the secretary shall issue a government agency registration. The government agency is

not required to furnish a surety bond under this act. Such government agency registration shall expire at the end of the calendar year for which it is issued unless it has been revoked or suspended prior thereto. If a registration is not issued as applied for, the secretary shall inform the applicant in writing of the reasons therefor.

(g) A pesticide business license or government agency registration may be renewed by meeting the same requirements as for a new license or registration. Neither the pesticide business license nor the government agency registration shall be transferable, except that, in the event of the disability, incapacity or death of the owner, manager or legal agent of a pesticide business licensee, a permit may be issued by the secretary to permit the operation of such business until the expiration period of the license in effect at the time of such disability, incapacity or death if the applicant therefor can show that the policies and services of such business will continue substantially as before, with due regard to protection of the public and the environment.

(h) No pesticide business license may be issued to any person until such person is or has in such person's employ one or more individuals who are certified commercial applicators in each of the categories for which the license application is made.

Sec. 4. K.S.A. 2021 Supp. 2-2440b is hereby amended to read as follows: 2-2440b. (a) It shall be unlawful for any pesticide business licensee to apply pesticides for the control of wood destroying pests, structural pests, ornamental pests, turf pests or interior landscape pests unless the applicator of the pesticide is a certified commercial applicator or is a registered pest control technician, except that an uncertified commercial applicator may apply pesticides when either a certified applicator or registered pest control technician is physically present.

(b) Any such employee applying for a pest control technician registration shall file an application on a form prescribed by the secretary. Application for such registration shall be accompanied by an application fee established by rules and regulations adopted by the secretary, except that such fee shall not exceed \$40, except that on and after July 1, ~~2023~~ 2028, such fee shall not exceed \$25, and shall be reduced, but not below zero, by an amount equal to the additional fee paid under K.S.A. 2-2440(b), and amendments thereto, for such uncertified individual.

(c) If the secretary finds the applicant qualified to be a registered pest control technician after meeting the training requirements determined by the secretary in rules and regulations, the secretary shall issue a pest control technician registration ~~which~~ *that* will expire at the end of the calendar year.

(d) This section shall be part of and supplemental to the Kansas pesticide law.

Sec. 5. K.S.A. 2021 Supp. 2-2443a is hereby amended to read as follows: 2-2443a. (a) An applicant for a commercial applicator's certificate shall show upon written examination that the applicant possesses adequate knowledge concerning the proper use and application of pesticides in the categories or subcategories for which the applicant has applied. A commercial applicator who holds a current certificate to apply pesticides commercially in any other state or political subdivision of the United States may be exempted from examination for certification in this state upon approval of the secretary and payment of a \$75 fee per category, unless a fee not to exceed \$75 is established in rules and regulations adopted by the secretary.

(b) Applicants shall submit with each application a fee per examination taken, including each category, subcategory and general core examination. The examination fee shall be fixed by rules and regulations adopted by the secretary, except that such fee shall not exceed \$45 per examination, except that on and after July 1, ~~2023~~ 2028, such fee shall not exceed \$35 per examination. Applicants who fail to pass the examination may reapply and take another examination upon paying another examination fee, ~~which~~. Such fee shall be fixed by rules and regulations adopted by the secretary, except that such fee shall not exceed \$45 per examination, except that on and after July 1, ~~2023~~ 2028, such fee shall not exceed \$35 per examination. The general core examination ~~shall include~~ includes, but is not limited to, the following:

- ~~(a)~~(1) The proper use of the equipment.
- ~~(b)~~(2) The hazards that may be involved in applying the pesticides, including:
 - ~~(1)~~(A) The effect of drift of the pesticides on adjacent and nearby lands and other non-target organisms;
 - ~~(2)~~(B) the proper meteorological conditions for the application of pesticides and the precautions to be taken with such application;
 - ~~(3)~~(C) the effect of the pesticides on plants or animals in the area, including the possibility of damage to plants or animals or the possibility of illegal pesticide residues resulting on them;
 - ~~(4)~~(D) the effect of the application of pesticides to wildlife in the area, including aquatic life;
 - ~~(5)~~(E) the identity and classification of pesticides used and the effects of their application in particular circumstances; and
 - ~~(6)~~(F) the likelihood of contamination of water or injury to persons, plants, livestock, pollinating insects and vegetation.
- ~~(c)~~(3) Calculating the concentration of pesticides to be used.
- ~~(d)~~(4) Identification of common pests to be controlled and damages caused by such pests.
- ~~(e)~~(5) Protective clothing and respiratory equipment for handling and application of pesticides.

~~(f)~~(6) General precautions to be followed in the disposal of containers as well as the cleaning and decontamination of the equipment which the applicant proposes to use.

~~(g)~~(7) Applicable state and federal pesticide laws and regulations.

~~(h)~~(8) Any other subject which the secretary deems necessary.

Sec. 6. K.S.A. 2021 Supp. 2-2445a is hereby amended to read as follows: 2-2445a. (a) In lieu of obtaining a commercial applicator's certificate under the provisions of K.S.A. 2-2441a, and amendments thereto, a private applicator's certificate may be applied for by and issued to individuals using restricted use pesticides for the purpose of producing any agricultural commodity on property owned or rented by the individual or such individual's employer, or on the property of another for no compensation other than the trading of personal services between producers. Such certificates shall expire on the anniversary of the individual's date of birth occurring in the fifth calendar year following the year of issue. No certification shall be required hereunder for individuals operating under the supervision of a certified private applicator.

(b)(1) Certified private applicator certificates may be issued to individuals who have ~~paid~~:

(a)(A) ~~Paid~~ a fee fixed by rules and regulations adopted by the secretary, except that on and after July 1, ~~2023~~ 2028, such fee shall not exceed \$10; and

~~(b) who have~~ (B) acquired practical knowledge of pest problems, proper storage, use, handling and disposal of pesticides and pesticide containers, pertinent information found on the pesticide labels, pesticide use safety and environmental considerations, either through Kansas state university extension service educational training or through individual study of educational materials available at county extension offices or the secretary.

(2) The certified private applicator certificate fee in effect on the day preceding the effective date of this act shall continue in effect until the secretary adopts rules and regulations fixing a different fee therefor under this section. Individuals shall indicate adequate knowledge of the subjects enumerated herein by passing an open-book examination approved by the secretary.

(c) Educational materials and examination blanks shall be made available at county extension offices and at places where extension educational training is conducted. The examinations shall be scored by members of the extension or secretary's staff. If an individual passes the examination by equaling or exceeding a standard authorized by the secretary, a certified private applicator's certificate shall be issued to such individual. Such staff member shall send a copy of the certificate issued, together with the fee, to the secretary.

(d) A certified applicator who holds a current certificate to apply pesticides as a certified private applicator in any other state or political subdivision of the United States may be exempted from examination for private applicator certification in this state upon payment of proper fees and approval by the secretary.

Sec. 7. K.S.A. 2021 Supp. 2-3304 is hereby amended to read as follows: 2-3304. (a) Any user of the chemigation process shall register and obtain a chemigation user's permit before using the process.

(b) Registration shall consist of making application on a form supplied by the secretary. Such application shall include, but not be limited to:

(1) The name of the persons to whom a permit is to be issued, including an owner or operator of land on which chemigation is to be used;

(2) a plan for using anti-pollution devices;

(3) a plan for handling tail water or accumulations of water;

(4) the number and locations, including a legal description, of well-heads ~~which~~ *that* may be involved in the chemigation process and surface water supply withdrawal points, not to include siphon tubes; and

(5) payment of fees.

(c) The application fee for a chemigation user's permit shall be \$75 plus \$15 for each additional point of diversion, except that on and after July 1, ~~2023~~ 2028, a chemigation user's permit shall be \$55 plus \$10 for each additional point of diversion. A chemigation user's permit may be renewed each year upon making an application, payment of the application fee and completing the report form providing information used in chemigation the previous year.

Sec. 8. K.S.A. 2021 Supp. 2-3306 is hereby amended to read as follows: 2-3306. (a) Any individual operating chemigation equipment under a chemigation user permit shall be responsible for the safe operation of such chemigation equipment and any such equipment shall be considered to be under the direct supervision of the chemigation user permit holder.

(b) The secretary shall not issue a chemigation user permit to any person unless such person is a certified chemigation equipment operator or has in such person's employment at least one certified chemigation equipment operator. A chemigation equipment operator is an individual who has successfully completed an examination given by the secretary or the secretary's designee. Except as provided in subsection (c), if the chemigation user permit is issued to an individual, that individual must have successfully completed the chemigation equipment operator examination. Such examination shall include, but not be limited to, the following:

(1) The proper use of anti-pollution devices;

(2) preparing the chemical solution and filling the chemical supply container;

(3) calibrating of injection equipment;

- (4) supervision of chemigation equipment to assure its safe operation;
 - (5) environmental and human hazards that may be involved in chemigation;
 - (6) protective clothing and respiratory equipment;
 - (7) general precautions to be followed in disposal of containers and decontamination of the equipment;
 - (8) handling of tail water and other accumulations of water containing chemicals;
 - (9) information of procedures to be followed should chemicals inadvertently enter the water supply source as a result of the chemigation process;
 - (10) label information, especially chemigation instructions;
 - (11) applicable state and federal laws and regulations; and
 - (12) any other subject ~~which~~ *that* the secretary deems necessary.
- (c) The examination provided for in subsection (b) may be waived for any individual who has been certified as a pesticide applicator in the category of chemigation pursuant to the Kansas pesticide law.
- (d) The chemigation equipment operator certification shall expire on December 31 of the fourth calendar year after the year of issue. A chemigation equipment operator certification shall be renewed for a succeeding five year period upon payment of the certification fee and passing the examination specified in either subsection (b) or (c).
- (e) The fee for certification as a chemigation equipment operator or for renewal of such certification shall be \$25, except that on and after July 1, ~~2023~~ 2028, such certification shall be \$10.

Sec. 9. K.S.A. 82a-708a is hereby amended to read as follows:
82a-708a. (a) Any person may apply for a permit to appropriate water to a beneficial use, notwithstanding that the application pertains to the use of water by another, or upon or in connection with the lands of another. Any rights to the beneficial use of water perfected under such application shall attach to the lands on or in connection with which the water is used and shall remain subject to the control of the owners of the lands as in other cases provided by law.

(b) Except as otherwise provided in subsections (d), (e) and (f), each application for a permit to appropriate water, except applications for permits for domestic use, shall be accompanied by an application fee fixed by this section for the appropriate category of acre feet in accordance with the following:

Acre Feet	Fee
0 to 100	\$200
101 to 320	\$300
More than 320	\$300 + \$20
	for each additional 100
	acre feet or any part thereof

On and after July 1, ~~2023~~ 2028, the application fee shall be fixed by this section for the appropriate category of acre feet in accordance with the following:

Acre Feet	Fee
0 to 100	\$100
101 to 320	\$150
More than 320	\$150 + \$10 for each additional 100 acre feet or any part thereof

The chief engineer shall render a decision on such permit applications within 150 days of receiving a complete application except when the application cannot be processed due to the standards established in K.A.R. 5-3-4c. Upon failure to render a decision within 180 days of receipt of a complete application, the application fee is subject to refund upon request.

(c) Except as otherwise provided in subsections (d), (e) and (f), each application for a permit to appropriate water for storage, except applications for permits for domestic use, shall be accompanied by an application fee fixed by this section for the appropriate category of storage-acre feet in accordance with the following:

Storage-Acre Feet	Fee
0 to 250	\$200
More than 250	\$200 + \$20 for each additional 250 storage-acre feet or any part thereof

On and after July 1, ~~2023~~ 2028, the application fee shall be fixed by this section for the appropriate category of storage-acre feet in accordance with the following:

Storage-Acre Feet	Fee
0 to 250	\$100
More than 250	\$100 + \$10 for each additional 250 storage-acre feet or any part thereof

The chief engineer shall render a decision on such permit applications within 150 days of receiving a complete application except when the application cannot be processed due to the standards established in K.A.R. 5-3-4c. Upon failure to render a decision within 180 days of receipt of a complete application, the application fee is subject to refund upon request.

(d) Each application for a term permit pursuant to K.S.A. 82a-736, and amendments thereto, shall be accompanied by an application fee established by rules and regulations of the chief engineer in an amount not to exceed \$400 for the five-year period covered by the permit.

(e) For any application for a permit to appropriate water, except applications for permits for domestic use, ~~which~~ *that* proposes to appropriate by both direct flow and storage, the fee charged shall be the fee under subsection (b) or subsection (c), whichever is larger, but not both fees.

(f) Each application for a permit to appropriate water for water power or dewatering purposes shall be accompanied by an application fee of \$100 plus \$200 for each 100 cubic feet per second, or part thereof, of the diversion rate requested in the application for the proposed project.

(g) All fees collected by the chief engineer pursuant to this section shall be remitted to the state treasurer as provided in K.S.A. 82a-731, and amendments thereto.

Sec. 10. K.S.A. 82a-708b is hereby amended to read as follows: 82a-708b. (a) (1) Any owner of a water right may change the place of use, the point of diversion or the use made of the water, without losing priority of right, provided such owner shall:

~~(1)(A)~~ Apply in writing to the chief engineer for approval of any proposed change;

~~(2)(B)~~ demonstrate to the chief engineer that any proposed change is reasonable and will not impair existing rights;

~~(3)(C)~~ demonstrate to the chief engineer that any proposed change relates to the same local source of supply as that to which the water right relates; and

~~(4)(D)~~ receive the approval of the chief engineer with respect to any proposed change.

(2) The chief engineer shall approve or reject the application for change in accordance with the provisions and procedures prescribed for processing original applications for permission to appropriate water.

(3) If the chief engineer disapproves the application for change, the rights, priorities and duties of the applicant shall remain unchanged.

(4) Any person aggrieved by an order or decision by the chief engineer relating to an application for change may petition for review thereof in accordance with the provisions of K.S.A. 82a-1901, and amendments thereto.

(b) Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (1) Application to change a point of diversion 300 feet or less.....\$100
- (2) Application to change a point of diversion more than 300 feet200
- (3) Application to change the place of use 200
- (4) Application to change the use made of water..... 300

On and after July 1, ~~2023~~ 2028, the application fee shall be set forth in the schedule below:

- (1) Application to change a point of diversion 300 feet or less..... \$50
- (2) Application to change a point of diversion more than 300 feet... 100
- (3) Application to change the place of use 100
- (4) Application to change the use made of the water 150

The chief engineer shall render a decision on such permit applications within 150 days of receiving a complete application except when the application cannot be processed due to the standards established in K.A.R. 5-3-4c. Upon failure to render a decision within 180 days of receipt of a complete application, the application fee is subject to refund upon request.

(c) All fees collected by the chief engineer pursuant to this section shall be remitted to the state treasurer as provided in K.S.A. 82a-731, and amendments thereto.

Sec. 11. K.S.A. 82a-708c is hereby amended to read as follows: 82a-708c. (a) A term permit is a permit to appropriate water for a limited specified period of time in excess of six months. At the end of the specified time, or any authorized extension approved by the chief engineer, the permit shall be automatically dismissed, and any priority it may have had shall be forfeited. No water right shall be perfected pursuant to a term permit.

(b) Each application for a term permit to appropriate water shall be made on a form prescribed by the chief engineer and shall be accompanied by an application fee fixed by this section for the appropriate category of acre feet in accordance with the following:

Acre Feet	Fee
0 to 100	\$200
101 to 320	\$300
More than 320	\$300 + \$20
	for each additional 100
	acre feet or any part thereof

On and after July 1, ~~2023~~ 2028, the application fee shall be set forth in the schedule below:

Acre Feet	Fee
0 to 100	\$100
101 to 320	\$100
More than 320	\$150 + \$10
	for each additional 100
	acre feet or any part thereof

The chief engineer shall render a decision on such term permit applications within 150 days of receiving a complete application except when the application cannot be processed due to the standards established in K.A.R. 5-3-4c. Upon failure to render a decision within 180 days of receipt of a complete application, the application fee is subject to refund upon request.

(c) Each application for a term permit to appropriate water for storage, except applications for permits for domestic use, shall be accompanied by an application fee fixed by this section for the appropriate category of storage-acre feet in accordance with the following:

Storage-Acre Feet	Fee
0 to 250	\$200
More than 250	\$200 + \$20
	for each additional 250
	acre feet or any part thereof

On and after July 1, ~~2023~~ 2028, the application fee shall be set forth in the schedule below:

Storage-Acre Feet	Fee
0 to 250	\$100
More than 250	\$100 + \$10
	for each additional 250
	acre feet or any part thereof

The chief engineer shall render a decision on such term permit applications within 150 days of receiving a complete application except when the application cannot be processed due to the standards established in K.A.R. 5-3-4c. Upon failure to render a decision within 180 days of receipt of a complete application, the application fee is subject to refund upon request.

(d) Each application for a term permit pursuant to K.S.A. 82a-736, and amendments thereto, shall be accompanied by an application fee established by rules and regulations adopted by the chief engineer in an amount not to exceed \$400 for the five-year period covered by the permit.

(e) Notwithstanding the provisions of K.S.A. 82a-714, and amendments thereto, the applicant is not required to file a notice of completion of diversion works nor pay a field inspection fee. The chief engineer shall not conduct a field inspection of the diversion works required by statute for purposes of certification nor issue a certificate of appropriation for a term permit.

(f) A request to extend the term of a term permit in accordance with the rules and regulations adopted by the chief engineer shall be accompanied by the same filing fee applicable to other requests for extensions of time as set forth in K.S.A. 82a-714, and amendments thereto.

(g) An application to change the place of use, point of diversion, use made of water, or any combination thereof, pursuant to K.S.A. 82a-708b, and amendments thereto, shall not be approved for a term permit, except as provided in K.S.A. 82a-736, and amendments thereto.

(h) The chief engineer shall adopt rules and regulations to effectuate and administer the provisions of this section.

Sec. 12. K.S.A. 82a-714 is hereby amended to read as follows: 82a-714. (a) Upon the completion of the construction of the works and the actual application of water to the proposed beneficial use within the time

allowed, the applicant shall notify the chief engineer to that effect. The chief engineer or the chief engineer's duly authorized representative shall then examine and inspect the appropriation diversion works and, if it is determined that the appropriation diversion works have been completed and the appropriation right perfected in conformity with the approved application and plans, the chief engineer shall issue a certificate of appropriation in duplicate. The original of such certificate shall be sent to the owner and shall be recorded with the register of deeds in the county or counties wherein the point of diversion is located, as are other instruments affecting real estate, and the duplicate shall be made a matter of record in the office of the chief engineer.

(b) Not later than 60 days before the expiration of the time allowed in the permit to complete the construction of the appropriation diversion works or the time allowed in the permit to actually apply water to the proposed beneficial use, the chief engineer shall notify the permit holder by certified mail that any request for extension of such time must be filed with the chief engineer before the expiration of the time allowed in the permit.

(c) Unless the applicant requests an extension or the certificate has not been issued due to the applicant's failure to comply with reasonable requests for information or to allow the opportunity to examine and inspect the appropriation diversion works, as necessary for certification, the chief engineer shall certify an appropriation:

(1) Before July 1, 2004, if the time allowed in the permit to perfect the water right expired before July 1, 1999, except in those cases in which abandonment proceedings pursuant to K.S.A. 82a-718, and amendments thereto, are pending on July 1, 2004;

(2) before July 1, 2006, in such cases in which an abandonment proceeding was pending pursuant to K.S.A. 82a-718, and amendments thereto, on July 1, 2004; or

(3) not later than five years after the date the applicant notifies the chief engineer of the completion of construction of the works and the actual application of water to the proposed beneficial use within the time allowed, in all other cases.

If the chief engineer fails to issue a certificate within the time provided by this subsection, the applicant may request review, pursuant to K.S.A. 82a-1901, and amendments thereto, of the chief engineer's failure to act.

(d) Except for works constructed to appropriate water for domestic use, each notification to the chief engineer under subsection (a) shall be accompanied by a field inspection fee of \$400, or on and after July 1, ~~2023~~ 2028, a fee of \$200, except that for applications filed on or after July 1, 2009, for works constructed for sediment control use and for evaporation from a groundwater pit for industrial use shall be accompanied by a field inspection fee of \$200. Failure to pay the field inspection fee, after

reasonable notice by the chief engineer of such failure, shall result in the permit to appropriate water being revoked, forfeiture of the priority date and revocation of any appropriation right that may exist.

(e) A request for an extension of time to: (1) Complete the diversion works; or (2) perfect the water right, shall be accompanied by a fee of \$50, or commencing July 1, 2002, and ending June 30, ~~2023~~ 2028, a fee of \$100.

(f) A request to reinstate a water right or a permit to appropriate water ~~which~~ *that* has been dismissed shall be filed with the chief engineer within 60 days of the date dismissed and shall be accompanied by a fee of \$100, or commencing July 1, 2002, and ending June 30, ~~2023~~ 2028, a fee of \$200.

(g) All fees collected by the chief engineer pursuant to this section shall be remitted to the state treasurer as provided in K.S.A. 82a-731, and amendments thereto.

Sec. 13. K.S.A. 82a-727 is hereby amended to read as follows: 82a-727. (a) Subject to existing water rights and the principle of beneficial use, the chief engineer may grant upon application made therefor temporary permits and extensions thereof to appropriate water in any case where the public interest in such water will not be unreasonably or prejudicially affected, except that the chief engineer shall not grant any such permit to appropriate fresh water in any case where other waters are available for the proposed use and the use thereof is technologically and economically feasible. No such temporary permit or any extension thereof shall be granted for a period of time in excess of six months. Each application submitted for a temporary permit or extension thereof shall be accompanied by an application fee of \$200, or on and after July 1, ~~2023~~ 2028, a fee of \$100.

(b) The chief engineer shall adopt rules and regulations to effectuate and administer the provisions of this section.

(c) Nothing in this section shall be deemed to vest in the holder of any permit granted pursuant to provisions of this section any permanent right to appropriate water except as is provided by such permit.

(d) All fees collected by the chief engineer pursuant to this section shall be remitted to the state treasurer as provided in K.S.A. 82a-731, and amendments thereto.

Sec. 14. K.S.A. 82a-708a, 82a-708b, 82a-708c, 82a-714 and 82a-727 and K.S.A. 2021 Supp. 2-1205, 2-1930, 2-2440, 2-2440b, 2-2443a, 2-2445a, 2-3304 and 2-3306 are hereby repealed.

Sec. 15. This act shall take effect and be in force from and after its publication in the statute book.

CHAPTER 10

SENATE BILL No. 335

AN ACT concerning insurance; relating to accident and health insurance; exempting certain qualified trade, merchant, retail and professional associations and business leagues that provide health insurance in the state but are not subject to the jurisdiction of the commissioner of insurance from payment of the annual premium tax; amending K.S.A. 40-2222b and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 40-2222b is hereby amended to read as follows: 40-2222b. (a) *(1) Except as provided in subsection (b), as a condition precedent to continuation of the exemption provided by K.S.A. 40-2222, and amendments thereto, each person or entity described in K.S.A. 40-2222, and amendments thereto, shall, no later than May 1 of each year, pay a tax at the rate of 1% per annum upon the annual Kansas gross premium collected during the preceding calendar year. For persons or entities that have a principal office within a metropolitan area that has boundaries in Kansas and associations that have their principal office located within the borders of this state and offer policies to non-residents of Kansas, the tax owed under this section shall be based upon the gross premium collected during the preceding year relating to health benefit plans issued to members that have a principal place of business in Kansas. In the computation of the tax, such persons or entities shall be entitled to deduct any annual Kansas gross premiums returned on account of cancellation or dividends returned to members or expenditures used for the purchase of reinsurance or stop-loss coverage.*

~~(b)(2)~~ Every person or entity subject to taxation under the provisions of this ~~section~~ *subsection* shall pay the tax imposed and make a return under oath to the commissioner of insurance under such rules and regulations and in such form and manner as the commissioner may prescribe.

(b) A person or entity described in K.S.A. 40-2222, and amendments thereto, shall be exempt from subsection (a) if it provides health benefits through a self-funded health plan and is therefore exempt from the jurisdiction of the commissioner pursuant to the employee retirement income security act of 1974, as in effect on July 1, 2022.

Sec. 2. K.S.A. 40-2222b is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

Approved March 29, 2022.

CHAPTER 11

SENATE BILL No. 392

AN ACT concerning securities; relating to the securities act fee fund; terminating the transfer of remaining unencumbered moneys in such fund exceeding \$50,000 to the state general fund; amending K.S.A. 2021 Supp. 17-12a601 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2021 Supp. 17-12a601 is hereby amended to read as follows: 17-12a601. (a) *Administration.* (1) This act shall be administered by the securities commissioner of Kansas.

(2) All fees herein provided for shall be collected by the administrator. All salaries and expenses necessarily incurred in the administration of this act shall be paid from the securities act fee fund.

(3) The administrator shall remit all moneys received from all fees, charges, deposits or penalties which have been collected under this act or other laws of this state regulating the issuance, sale or disposal of securities or regulating dealers in this state to the state treasurer at least monthly. Upon receipt of any such remittance, the state treasurer shall deposit the entire amount thereof in the state treasury. In accordance with K.S.A. 75-3170a, and amendments thereto, 10% of each such deposit shall be credited to the state general fund and, except as provided in subsection (d), the balance shall be credited to the securities act fee fund.

(4) ~~Except as provided further, on the last day of each fiscal year, the director of accounts and reports shall transfer from the securities act fee fund to the state general fund any remaining unencumbered amount in the securities act fee fund exceeding \$50,000 so that the beginning unencumbered balance in the securities act fee fund on the first day of each fiscal year is \$50,000. During the fiscal years ending June 30, 2021, and June 30, 2022, no moneys shall be transferred from the securities act fee fund to the state general fund pursuant to this paragraph.~~ All expenditures from the securities act fee fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the administrator or by a person or persons designated by the administrator.

(5) ~~All amounts transferred from the securities act fee fund to the state general fund under paragraph (4) are to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.~~

(b) *Prohibited conduct.* (1) It is unlawful for the administrator or an officer, employee, or designee of the administrator to use for personal benefit or the benefit of others records or other information obtained by or filed with the administrator that are not public under K.S.A. 17-12a607(b), and amendments thereto. This act does not authorize the administrator or an officer, employee, or designee of the administrator to disclose the record or information, except in accordance with K.S.A. 17-12a602, 17-12a607(c), or 17-12a608, and amendments thereto.

(2) Neither the administrator nor any employee of the administrator shall be interested as an officer, director, or stockholder in securing any authorization to sell securities under the provisions of this act.

(c) *No privilege or exemption created or diminished.* This act does not create or diminish a privilege or exemption that exists at common law, by statute or rule, or otherwise.

(d) *Investor education and protection.* (1) The administrator may develop and implement investor education and protection initiatives to inform the public about investing in securities and protect the public from violations of the Kansas uniform securities act, K.S.A. 17-12a101 et seq., and amendments thereto. Such initiatives shall have a particular emphasis on the prevention, detection, enforcement and prosecution of securities fraud. In developing and implementing these initiatives, the administrator may collaborate with public and nonprofit organizations with an interest in investor education or protection. The administrator may accept a grant or donation from a person that is not affiliated with the securities industry or from a nonprofit organization, regardless of whether the organization is affiliated with the securities industry, to develop and implement investor education and protection initiatives. This subsection does not authorize the administrator to require participation or monetary contributions of a registrant in an investor education program.

(2) There is hereby established in the state treasury the investor education and protection fund. Such fund shall be administered by the administrator for the purposes described in subsection (d)(1) and for the education of registrants, including official hospitality. Moneys collected as civil penalties under this act shall be credited to the investor education and protection fund. The administrator may also receive payments designated to be credited to the investor education and protection fund as a condition in settlements of cases arising out of investigations or examinations. All expenditures from the investor education and protection fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the administrator or by a person or persons designated by the administrator.

Sec. 2. K.S.A. 2021 Supp. 17-12a601 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

Approved March 29, 2022.

Published in the *Kansas Register* April 7, 2022.

CHAPTER 12

Substitute for SENATE BILL No. 400

AN ACT concerning trusts; relating to the creation, modification and termination thereof; adding to the list of matters that may be resolved by nonjudicial settlement agreements; increasing the threshold at which an uneconomic trust may be terminated; updating the definition of resident trust; amending K.S.A. 58a-414 and 79-32,109 and K.S.A. 2021 Supp. 58a-111 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2021 Supp. 58a-111 is hereby amended to read as follows: 58a-111. (a) For purposes of this section, “interested persons” means persons whose consent would be required in order to achieve a binding settlement were the settlement to be approved by the court.

(b) Except as otherwise provided in subsection (c), interested persons may enter into a binding nonjudicial settlement agreement with respect to the matters listed in subsection (d).

(c) A nonjudicial settlement agreement is valid only to the extent it does not violate a material purpose of the trust and includes terms and conditions that could be properly approved by the court under this code or other applicable law.

(d) Matters that may be resolved by a nonjudicial settlement agreement are limited to:

- (1) The approval of a trustee’s report or accounting;
- (2) the resignation or appointment of a trustee and the determination of a trustee’s compensation;
- (3) transfer of a trust’s principal place of administration; ~~and~~
- (4) liability of a trustee for an action relating to the trust;
- (5) *the interpretation or construction of the terms of the trust;*
- (6) *direction to a trustee to refrain from performing a particular act or the grant to a trustee of any necessary or desirable power; and*
- (7) *the governing law of the trust.*

(e) Any interested person may request the court to approve a nonjudicial settlement agreement, to determine whether the representation as provided in article 3 of this code was adequate, and to determine whether the agreement contains terms and conditions the court could have properly approved.

Sec. 2. K.S.A. 58a-414 is hereby amended to read as follows: 58a-414. (a) After notice to the qualified beneficiaries, the trustee of a trust consisting of trust property having a total value less than ~~\$100,000~~ \$250,000 may terminate the trust if the trustee concludes that the value of the trust property is insufficient to justify the cost of administration.

(b) The court may modify or terminate a trust or remove the trustee

and appoint a different trustee if it determines that the value of the trust property is insufficient to justify the cost of administration.

(c) Upon termination of a trust under this section, the trustee shall distribute the trust property in a manner consistent with the purposes of the trust.

~~(d) This section does not apply to an easement for conservation or preservation.~~

(e) This section does not apply to:

(1) *An easement for conservation or preservation; or*

(2) any trust if its assets are distributable to the trustee or anyone the trustee is obligated to support.

Sec. 3. K.S.A. 79-32,109 is hereby amended to read as follows: 79-32,109. As used in this act, unless the context otherwise requires:

(a) (1) Any term used in this act shall have the same meaning as when used in a comparable context in the federal internal revenue code. Any reference in this act to the “federal internal revenue code” shall mean the provisions of the federal internal revenue code of 1986, and amendments thereto, and other provisions of the laws of the United States relating to federal income taxes, as the same may be or become effective at any time, or from time to time, for the taxable year.

(2) Any reference in this act to a federal form or schedule, or to a line number on a federal form or schedule, shall be to such form, schedule and line number as they existed for tax year 2011 and as revised thereafter by the internal revenue service. Any such reference shall include comparable federal forms, schedules, and line numbers used by non-United States residents when filing their federal income tax return with the internal revenue service.

(b) “Resident individual” means a natural person who is domiciled in this state. A natural person who spends in the aggregate more than six months of the taxable year within this state shall be presumed to be a resident for purposes of this act in absence of proof to the contrary. A non-resident individual means an individual other than a resident individual.

(c) “Resident estate” means the estate of a deceased person whose domicile was in this state at the time of such person’s death. “Nonresident estate” means an estate other than a resident estate.

(d) “Resident trust” means a trust ~~which~~ *that* is administered in this state. ~~A trust shall not be deemed to be administered in this state solely because it is subject to the jurisdiction of a district court within this state.~~ “Nonresident trust” means a trust ~~other than a resident trust and that was created by or consists of property owned by a person domiciled in this state on the date the trust or portion of the trust became irrevocable.~~

(e) “Resident partner” means a partner who is a resident individual, a resident estate, or a resident trust. “Nonresident partner” means a partner other than a resident partner.

(f) “Resident beneficiary” means a beneficiary of an estate or trust which beneficiary is a resident individual, a resident estate, or a resident trust. “Nonresident beneficiary” means a beneficiary other than a resident beneficiary.

(g) “Director” means the director of taxation.

(h) (1) “Modified Kansas source income” means that part of a non-resident individual’s Kansas adjusted gross income as set forth in K.S.A. 79-32,117, and amendments thereto, derived from sources in Kansas. Items of income including unemployment compensation, gain, loss or deduction reflected in Kansas adjusted gross income shall be considered derived from sources in Kansas to the extent that they are attributable to:

(1)(A) The ownership of any interest in real or tangible personal property in this state;

(2)(B) a business, trade, profession or occupation carried on in this state;

(3)(C) a business, trade, profession or occupation carried on partly within and partly without this state as determined by the uniform division of income for tax purposes act as set forth in K.S.A. 79-3271 through K.S.A. 79-3293, and amendments thereto;

(4)(D) the distributive share of partnership income, gain, loss and deduction determined under this section as if the partnership were a non-resident individual;

(5)(E) the share of estate or trust income, gain, loss and deduction determined under K.S.A. 79-32,137, and amendments thereto;

(6)(F) prizes won from lottery games conducted by the Kansas lottery;

(7)(G) any winnings from parimutuel wagering derived from the conduct of parimutuel activities within this state; or

(8)(H) income from intangible personal property, including annuities, dividends, interest, and gains from the disposition of intangible personal property to the extent that such income is from property employed in a trade, business, profession or occupation carried on in Kansas. A nonresident, other than a dealer holding property primarily for sale to customers in the ordinary course of such dealer’s trade or business, shall not be deemed to carry on a business, trade, profession or occupation in Kansas solely by reason of the purchase and sale of property for such nonresident’s own account.

(2) “Modified Kansas source income” ~~shall~~ *does* not include:

(1)(A) Compensation paid by the United States for service in the armed forces of the United States, performed during an induction period by an individual not domiciled in this state; or

(2)(B) such individual’s share of distributed or undistributed taxable income or net operating loss of a corporation which is an electing small business corporation unless an agreement is filed as provided in K.S.A.

79-32,139, and amendments thereto, in which event, the “modified Kansas source income” of such nonresident individual shall include such individual’s share of such corporation’s distributed and undistributed taxable income or net operating loss as such share is determined under the internal revenue code only to the extent, however, that such income, gain or loss is at the corporate level, derived from sources within Kansas.

Sec. 4. K.S.A. 58a-414 and 79-32,109 and K.S.A. 2021 Supp. 58a-111 are hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its publication in the statute book.

Approved March 29, 2022.

CHAPTER 13

HOUSE BILL No. 2574

AN ACT concerning the attorney general; relating to the crime victims compensation board; awarding of compensation for mental health counseling; increasing the amount of certain awards; changing the definition of “crime scene cleanup”; amending K.S.A. 2021 Supp. 74-7301 and 74-7305 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2021 Supp. 74-7301 is hereby amended to read as follows: 74-7301. As used in this act:

(a) “Allowance expense” means reasonable charges incurred for reasonably needed products, services and accommodations, including those for medical care, rehabilitation, rehabilitative occupational training and other remedial treatment and care and for the replacement of items of clothing or bedding which were seized for evidence. “Allowance expense” includes a total charge not in excess of ~~\$5,000~~ \$7,500 for expenses in any way related to funeral, cremation or burial; but “allowance expense” shall not include that portion of a charge for a room in a hospital, clinic, convalescent or nursing home or any other institution engaged in providing nursing care and related services, in excess of a reasonable and customary charge for semi-private accommodations, unless other accommodations are medically required. “Allowance expense” includes a total charge not in excess of ~~\$1,000~~ \$2,500 for expenses in any way related to crime scene cleanup.

(b) “Board” means the crime victims compensation board established under K.S.A. 74-7303, and amendments thereto.

(c) “Claimant” means any of the following persons claiming compensation under this act:

- (1) A victim;
- (2) a dependent of a deceased victim;
- (3) a third person other than a collateral source; or
- (4) an authorized person acting on behalf of any of them.

(d) “Collateral source” means the net financial benefit, after deduction of taxes, legal fees, costs, expenses of litigation, liens, offsets, credits or other deductions, from a source of benefits or advantages for economic loss otherwise reparable under this act which the victim or claimant has received, or which is readily available to the victim or claimant, from:

- (1) The offender;
- (2) the government of the United States or any agency thereof, a state or any of its political subdivisions or an instrumentality or two or more states, unless the law providing for the benefits or advantages makes them excess or secondary to benefits under this act;
- (3) social security, medicare and medicaid;

- (4) state-required temporary nonoccupational disability insurance;
- (5) workers' compensation;
- (6) wage continuation programs of any employer;
- (7) proceeds of a contract of insurance payable to the victim for loss which the victim sustained because of the criminally injurious conduct;
- (8) a contract providing prepaid hospital and other health care services or benefits for disability; or
- (9) damages awarded in a tort action.

(e) "Criminally injurious conduct" means conduct that: (1) (A) Occurs or is attempted in this state or occurs to a person whose domicile is in Kansas who is the victim of a violent crime which occurs in another state, possession, or territory of the United States of America may make an application for compensation if:

(i) The crimes would be compensable had it occurred in the state of Kansas; and

(ii) the places the crimes occurred are states, possessions or territories of the United States of America not having eligible crime victim compensation programs;

(B) poses a substantial threat or personal injury or death; and

(C) either is punishable by fine, imprisonment or death or would be so punishable but for the fact that the person engaging in the conduct lacked capacity to commit the crime under the laws of this state; or

(2) is an act of terrorism, as defined in 18 U.S.C. § 2331, or a violent crime that posed a substantial threat or caused personal injury or death, committed outside of the United States against a person whose domicile is in Kansas, except that criminally injurious conduct does not include any conduct resulting in injury or death sustained as a member of the United States armed forces while serving on active duty.

"Criminally injurious conduct" does not include conduct arising out of the ownership, maintenance or use of a motor vehicle, except for violations of K.S.A. 8-2,144 or 8-1567, and amendments thereto, or violations of municipal ordinances or county resolutions prohibiting the acts prohibited by those statutes, or violations of K.S.A. 8-1602, and amendments thereto, K.S.A. 21-3404, 21-3405 or 21-3414, prior to their repeal, or K.S.A. 2021 Supp. 21-5405, 21-5406 or 21-5413(b), and amendments thereto, or when such conduct was intended to cause personal injury or death.

(f) "Dependent" means a natural person wholly or partially dependent upon the victim for care or support, and includes a child of the victim born after the victim's death.

(g) "Dependent's economic loss" means loss after decedent's death of contributions of things of economic value to the decedent's dependents, not including services they would have received from the decedent if the

decedent had not suffered the fatal injury, less expenses of the dependents avoided by reason of decedent's death.

(h) "Dependent's replacement services loss" means loss reasonably incurred by dependents after decedent's death in obtaining ordinary and necessary services in lieu of those the decedent would have performed for their benefit if the decedent had not suffered the fatal injury, less expenses of the dependents avoided by reason of decedent's death and not subtracted in calculating dependent's economic loss.

(i) "Economic loss" means economic detriment consisting only of allowable expense, work loss, replacement services loss and, if injury causes death, dependent's economic loss and dependent's replacement service loss. Noneconomic detriment is not loss, but economic detriment is loss although caused by pain and suffering or physical impairment.

(j) "Noneconomic detriment" means pain, suffering, inconvenience, physical impairment and nonpecuniary damage.

(k) "Replacement services loss" means expenses reasonably incurred in obtaining ordinary and necessary services in lieu of those the injured person would have performed, not for income, but for the benefit of self or family, if such person had not been injured.

(l) "Work loss" means loss of income from work the injured person would have performed if such person had not been injured, and expenses reasonably incurred by such person in obtaining services in lieu of those the person would have performed for income, reduced by any income from substitute work actually performed by such person or by income such person would have earned in available appropriate substitute work that the person was capable of performing but unreasonably failed to undertake.

(m) "Victim" means a person who suffers personal injury or death as a result of:

- (1) Criminally injurious conduct;
- (2) the good faith effort of any person to prevent criminally injurious conduct;
- (3) the good faith effort of any person to apprehend a person suspected of engaging in criminally injurious conduct; or
- (4) witnessing a violent crime when the person was 16 years of age or younger at the time the crime was committed.

(n) "Crime scene cleanup" means removal of blood, stains, odors or other debris caused by the crime or the processing of the crime scene *and may include replacement of materials that were removed because such materials were biohazardous or were damaged as part of evidence collection.*

Sec. 2. K.S.A. 2021 Supp. 74-7305 is hereby amended to read as follows: 74-7305. (a) An application for compensation shall be made in the manner and form prescribed by the crime victims compensation division created by K.S.A. 75-773, and amendments thereto.

(b) (1) Except as otherwise provided in this subsection, compensation may not be awarded unless an application has been filed with the division within two years of the reporting of the incident to law enforcement officials if the victim was less than 16 years of age and the injury or death is the result of any of the following crimes:

(A) Enticement of a child as defined in K.S.A. 21-3509, prior to its repeal;

(B) human trafficking as defined in K.S.A. 21-3446, prior to its repeal, or K.S.A. 2021 Supp. 21-5426(a), and amendments thereto;

(C) aggravated human trafficking as defined in K.S.A. 21-3447, prior to its repeal, or K.S.A. 2021 Supp. 21-5426(b), and amendments thereto; or

(D) a sexually violent crime, as defined in K.S.A. 22-3717, and amendments thereto.

(2) Compensation for mental health counseling may be awarded to a:

(A) Victim, as defined in K.S.A. 74-7301(m)(4), and amendments thereto, if the board finds there was good cause for the failure to file within the time specified in this subsection and the claim is filed before the victim turns 19 years of age; ~~or~~

(B) victim of a sexually violent crime, as defined in K.S.A. 22-3717, and amendments thereto, if the board finds there was good cause for the failure to file within the time specified in this subsection and:

(i) The claim is filed with the division within 10 years of the date such crime was committed; or

(ii) if the victim was less than 18 years of age at the time such crime was committed, the claim is filed within 10 years of the date the victim turns 18 years of age;

(C) *victim who is or will be required to testify in a sexually violent predator commitment, pursuant to article 29a of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, of an offender who victimized the victim or the victim on whose behalf the claim is made, if the claim is made within two years of such testimony; or*

(D) *victim who is notified that DNA testing of a sexual assault kit or other evidence has revealed a DNA profile of a suspected offender who victimized the victim or the victim on whose behalf the claim is made, or is notified of the identification of a suspected offender who victimized the victim or the victim on whose behalf the claim is made, if the claim is made within two years of such notification.*

(3) For all other incidents of criminally injurious conduct, compensation may not be awarded unless the claim has been filed with the division within two years after the injury or death upon which the claim is based.

(c) Compensation may not be awarded to a claimant who was the offender or an accomplice of the offender and may not be awarded to another person if the award would unjustly benefit the offender or accomplice.

(d) Compensation otherwise payable to a claimant shall be reduced or denied, to the extent, if any that the:

(1) Economic loss upon which the claimant's claim is based is recouped from other persons, including collateral sources;

(2) board deems reasonable because of the contributory misconduct of the claimant or of a victim through whom the claimant claims; or

(3) board deems reasonable, because the victim was likely engaging in, or attempting to engage in, unlawful activity at the time of the crime upon which the claim for compensation is based. This subsection shall not be construed to reduce or deny compensation to a victim of domestic abuse or sexual assault.

(e) Compensation may be awarded only if the board finds that unless the claimant is awarded compensation the claimant will suffer financial stress as the result of economic loss otherwise reparable. A claimant suffers financial stress only if the claimant cannot maintain the claimant's customary level of health, safety and education for self and dependents without undue financial hardship. In making its determination of financial stress, the board shall consider all relevant factors, including:

(1) The number of the claimant's dependents;

(2) the usual living expenses of the claimant and the claimant's family;

(3) the special needs of the claimant and the claimant's dependents;

(4) the claimant's income and potential earning capacity; and

(5) the claimant's resources.

(f) Compensation may not be awarded unless the criminally injurious conduct resulting in injury or death was reported to a law enforcement officer within 72 hours after its occurrence or the board finds there was good cause for the failure to report within that time.

(g) The board, upon finding that the claimant or victim has not fully cooperated with appropriate law enforcement agencies, may deny, withdraw or reduce an award of compensation.

~~(h) Except in K.S.A. 21-3602 or 21-3603, prior to their repeal, or K.S.A. 2021 Supp. 21-5604, and amendments thereto, or cases of sex offenses established in article 35 of chapter 21, of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, K.S.A. 2021 Supp. 21-6419 through 21-6422, and amendments thereto, or human trafficking or aggravated human trafficking, as defined in K.S.A. 21-3446 or 21-3447, prior to their repeal, or K.S.A. 2021 Supp. 21-5426, and amendments thereto, compensation may not be awarded if the economic loss is less than \$100.~~

(i) Compensation for work loss, replacement services loss, dependent's economic loss and dependent's replacement service loss may not exceed \$400 per week or actual loss, whichever is less.

~~(j)~~(i) Compensation payable to a victim and to all other claimants sustaining economic loss because of injury to or death of that victim may not exceed \$25,000 in the aggregate.

~~(k)~~(j) Nothing in subsections (d)(2), (d)(3), (f) and (g) shall be construed to reduce or deny compensation to a victim of human trafficking or aggravated human trafficking, as defined in K.S.A. 2021 Supp. 21-5426, and amendments thereto, or commercial sexual exploitation of a child, as defined in K.S.A. 2021 Supp. 21-6422, and amendments thereto, who was 18 years of age or younger at the time the crime was committed and is otherwise qualified for compensation.

Sec. 3. K.S.A. 2021 Supp. 74-7301 and 74-7305 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.

Approved March 29, 2022.

CHAPTER 14

SENATE BILL No. 330*

AN ACT authorizing the construction of a permanent memorial honoring Kansas gold star families on the state capitol grounds; establishing the Kansas gold star families memorial fund.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) The capitol preservation committee shall approve plans to place a permanent memorial honoring Kansas gold star families on the state capitol grounds pursuant to K.S.A. 75-2269, and amendments thereto.

(b) The secretary of administration is hereby authorized to receive moneys from any grants, gifts, contributions or bequests made for the purpose of financing the creation and construction of the memorial and to expend such moneys received for such purpose. The secretary of administration shall remit all moneys so received to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the Kansas gold star families memorial fund. No public funds shall be expended for the purpose of financing the creation or construction of the memorial.

(c) There is hereby established in the state treasury the Kansas gold star families memorial fund. Expenditures from the fund may be made for the purposes of creating and constructing the memorial and for such other purposes as may be specified with regard to any grant, gift, contribution or bequest. All such expenditures shall be made upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of administration or the secretary's designee.

Sec. 2. This act shall take effect and be in force from and after its publication in the Kansas register.

Approved April 1, 2022.

Published in the *Kansas Register* April 14, 2022.

CHAPTER 15

Substitute for SENATE BILL No. 300

AN ACT concerning crimes, punishment and criminal procedure; relating to the Kansas racketeer influenced and corrupt organization act; adding a person who has engaged in identity theft or identity fraud to the definition of covered person; adding identity theft and identity fraud to the definition of racketeering activity; amending K.S.A. 2021 Supp. 21-6328 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2021 Supp. 21-6328 is hereby amended to read as follows: 21-6328. As used in the Kansas racketeer influenced and corrupt organization act:

(a) (1) “Beneficial interest” means *the interest of a person*:

(A) ~~The interest of a person~~ As a beneficiary under any trust arrangement pursuant to which a trustee holds legal or record title to real property for the benefit of such person; or

(B) ~~the interest of a person~~ under any other form of express fiduciary arrangement pursuant to which any other person holds legal or record title to real property for the benefit of such person.

(2) The term “beneficial interest” does not include the interest of a stock holder in a corporation or the interest of a partner in either a general partnership or a limited partnership. A beneficial interest shall be deemed to be located where the real property owned by the trustee is located.

(b) “Covered person” means any person who:

(1) Is a criminal street gang member or criminal street gang associate, as defined in K.S.A. 2021 Supp. 21-6313, and amendments thereto;

(2) has engaged in or is engaging in any conduct prohibited by K.S.A. 2021 Supp. 21-5426, and amendments thereto, human trafficking or aggravated human trafficking, or K.S.A. 2021 Supp. 21-6422, and amendments thereto, commercial sexual exploitation of a child; ~~or~~

(3) has engaged in or is engaging in any conduct prohibited by K.S.A. 2021 Supp. 21-5703, and amendments thereto, unlawful manufacturing of controlled substances, or K.S.A. 2021 Supp. 21-5705, and amendments thereto, unlawful cultivation or distribution of controlled substances; *or*

(4) *has engaged in or is engaging in any conduct prohibited by K.S.A. 2021 Supp. 21-6107, and amendments thereto, identity theft or identity fraud.*

(c) “Documentary material” means any book, paper, document, writing, drawing, graph, chart, photograph, phonorecord, magnetic tape, computer printout, other data compilation from which information can be obtained or from which information can be translated into usable form, or other tangible item.

(d) “Enterprise” means any individual, sole proprietorship, partnership, corporation, business trust, union chartered under the laws of this

state, or other legal entity, or any unchartered union, association, or group of individuals associated in fact although not a legal entity; and it includes illicit as well as licit enterprises and governmental, as well as other, entities. A criminal street gang, as defined in K.S.A. 2021 Supp. 21-6313, and amendments thereto, constitutes an enterprise.

(e) “Pattern of racketeering activity” means engaging in at least two incidents of racketeering activity that have the same or similar intents, results, accomplices, victims or methods of commission or that otherwise are interrelated by distinguishing characteristics and are not isolated incidents, provided at least one of such incidents occurred after the effective date of this act and that the last of such incidents occurred within five years, excluding any period of imprisonment, after a prior incident of racketeering activity.

(f) “Racketeering activity” means to commit, attempt to commit, conspire to commit or to solicit, coerce or intimidate another person to commit *any*:

(1) ~~Any~~ Felony or misdemeanor violation of: The felony provisions of K.S.A. 8-1568, and amendments thereto, fleeing or attempting to elude a police officer; K.S.A. 9-508 et seq., and amendments thereto, Kansas money transmitter act; article 12a of chapter 17 of the Kansas Statutes Annotated, and amendments thereto, Kansas uniform securities act; K.S.A. 2021 Supp. 21-5401, and amendments thereto, capital murder; K.S.A. 2021 Supp. 21-5402, and amendments thereto, murder in the first degree; K.S.A. 2021 Supp. 21-5403, and amendments thereto, murder in the second degree; K.S.A. 2021 Supp. 21-5408, and amendments thereto, kidnapping or aggravated kidnapping; K.S.A. 2021 Supp. 21-5412, and amendments thereto; K.S.A. 2021 Supp. 21-5413, and amendments thereto; K.S.A. 2021 Supp. 21-5414, and amendments thereto, domestic battery; K.S.A. 2021 Supp. 21-5415, and amendments thereto, criminal threat or aggravated criminal threat; K.S.A. 2021 Supp. 21-5420, and amendments thereto, robbery or aggravated robbery; K.S.A. 2021 Supp. 21-5421, and amendments thereto, terrorism; K.S.A. 2021 Supp. 21-5422, and amendments thereto, illegal use of weapons of mass destruction; K.S.A. 2021 Supp. 21-5423, and amendments thereto; K.S.A. 2021 Supp. 21-5426, and amendments thereto, human trafficking or aggravated human trafficking; K.S.A. 2021 Supp. 21-5428, and amendments thereto, blackmail; K.S.A. 2021 Supp. 21-5510, and amendments thereto, sexual exploitation of a child; K.S.A. 2021 Supp. 21-5601, and amendments thereto, endangering a child or aggravated endangering a child; K.S.A. 2021 Supp. 21-5602, and amendments thereto, abuse of a child; K.S.A. 2021 Supp. 21-5603, and amendments thereto, contributing to a child’s misconduct or deprivation; K.S.A. 2021 Supp. 21-5607(b), and amendments thereto, furnishing alcoholic beverages to a minor for illicit

purposes; article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, crimes involving controlled substances; K.S.A. 2021 Supp. 21-5801, and amendments thereto, theft; K.S.A. 2021 Supp. 21-5803, and amendments thereto, criminal deprivation of property; K.S.A. 2021 Supp. 21-5805, and amendments thereto; K.S.A. 2021 Supp. 21-5807, and amendments thereto, burglary or aggravated burglary; K.S.A. 2021 Supp. 21-5812, and amendments thereto, arson or aggravated arson; K.S.A. 2021 Supp. 21-5813, and amendments thereto, criminal damage to property; K.S.A. 2021 Supp. 21-5814, and amendments thereto, criminal use of an explosive; K.S.A. 2021 Supp. 21-5821, and amendments thereto, giving a worthless check; K.S.A. 2021 Supp. 21-5823, and amendments thereto, forgery; K.S.A. 2021 Supp. 21-5824, and amendments thereto, making false information; K.S.A. 2021 Supp. 21-5825, and amendments thereto, counterfeiting; K.S.A. 2021 Supp. 21-5826, and amendments thereto, destroying written instrument; K.S.A. 2021 Supp. 21-5828, and amendments thereto, criminal use of a financial card; K.S.A. 2021 Supp. 21-5838, and amendments thereto, conducting a pyramid promotional scheme; K.S.A. 2021 Supp. 21-5839, and amendments thereto; K.S.A. 2021 Supp. 21-5903, and amendments thereto, perjury; K.S.A. 2021 Supp. 21-5904, and amendments thereto, interference with law enforcement; K.S.A. 2021 Supp. 21-5905, and amendments thereto, interference with the judicial process; K.S.A. 2021 Supp. 21-5909, and amendments thereto, intimidation of a witness or victim or aggravated intimidation of a witness or victim; K.S.A. 2021 Supp. 21-5912, and amendments thereto, aiding escape; K.S.A. 2021 Supp. 21-5913, and amendments thereto, obstructing apprehension or prosecution; K.S.A. 2021 Supp. 21-5918, and amendments thereto; K.S.A. 2021 Supp. 21-6001, and amendments thereto, bribery; K.S.A. 2021 Supp. 21-6002, and amendments thereto, official misconduct; K.S.A. 2021 Supp. 21-6107, and amendments thereto, *identity theft or identity fraud*; K.S.A. 2021 Supp. 21-6301, and amendments thereto, criminal use of weapons; K.S.A. 2021 Supp. 21-6302, and amendments thereto, criminal carrying of a weapon; K.S.A. 2021 Supp. 21-6303, and amendments thereto, criminal distribution of firearms to a felon; K.S.A. 2021 Supp. 21-6304, and amendments thereto, criminal possession of a ~~firearm~~ *weapon* by a convicted felon; K.S.A. 2021 Supp. 21-6305, and amendments thereto, aggravated weapons violation by a convicted felon; K.S.A. 2021 Supp. 21-6306, and amendments thereto, defacing identification marks of a firearm; K.S.A. 2021 Supp. 21-6308, and amendments thereto, criminal discharge of a firearm; K.S.A. 2021 Supp. 21-6310, and amendments thereto, unlawful endangerment; K.S.A. 2021 Supp. 21-6312, and amendments thereto; K.S.A. 2021 Supp. 21-6314, and amendments thereto, recruiting criminal street gang membership; K.S.A. 2021 Supp. 21-6315, and amendments thereto, criminal street

gang intimidation; K.S.A. 2021 Supp. 21-6401, and amendments thereto, promoting obscenity or promoting obscenity to minors; K.S.A. 2021 Supp. 21-6404, and amendments thereto, gambling; K.S.A. 2021 Supp. 21-6405, and amendments thereto, illegal bingo operation; K.S.A. 2021 Supp. 21-6406, and amendments thereto, commercial gambling; K.S.A. 2021 Supp. 21-6407, and amendments thereto, dealing in gambling devices; K.S.A. 2021 Supp. 21-6408, and amendments thereto; K.S.A. 2021 Supp. 21-6409, and amendments thereto, installing communication facilities for gamblers; K.S.A. 2021 Supp. 21-6414(a) or (b), and amendments thereto, unlawful conduct of dog fighting or unlawful possession of dog fighting paraphernalia; K.S.A. 2021 Supp. 21-6417(a) or (b), and amendments thereto, unlawful conduct of cockfighting or unlawful possession of cockfighting paraphernalia; K.S.A. 2021 Supp. 21-6419, and amendments thereto, selling sexual relations; K.S.A. 2021 Supp. 21-6420, and amendments thereto, promoting the sale of sexual relations; K.S.A. 2021 Supp. 21-6422, and amendments thereto, commercial sexual exploitation of a child; K.S.A. 2021 Supp. 21-6501, and amendments thereto, extortion; K.S.A. 2021 Supp. 21-6502, and amendments thereto, debt adjusting; K.S.A. 2021 Supp. 21-6504, and amendments thereto, equity skimming; K.S.A. 2021 Supp. 21-6506, and amendments thereto, commercial bribery; K.S.A. 2021 Supp. 21-6507, and amendments thereto, sports bribery; K.S.A. 2021 Supp. 21-6508, and amendments thereto, tampering with a sports contest; K.S.A. 39-720, and amendments thereto, social welfare service fraud; K.S.A. 40-2,118, and amendments thereto, fraudulent insurance acts; K.S.A. 41-101 et seq., and amendments thereto, Kansas liquor control act; K.S.A. 44-5,125, and amendments thereto, workers' compensation act; K.S.A. 65-1657, and amendments thereto, nonresident pharmacy registration; K.S.A. 65-3441, and amendments thereto, hazardous waste; K.S.A. 65-4167, and amendments thereto, trafficking in counterfeit drugs; article 88 of chapter 74 of the Kansas Statutes Annotated, and amendments thereto, Kansas parimutuel racing act; or K.S.A. 79-3321, and amendments thereto, Kansas cigarette and tobacco products act; or

(2) ~~any~~ conduct defined as “racketeering activity” under 18 U.S.C. § 1961(1).

(g) “Real property” means any real property or any interest in such real property, including, but not limited to, any lease of or mortgage upon such real property.

(h) (1) “Trustee” means *any*:

(A) ~~Any~~ Person acting as trustee pursuant to a trust in which the trustee holds legal or record title to real property;

(B) ~~any~~ person who holds legal or record title to real property in which any other person has a beneficial interest; or

(C) ~~any~~ successor trustee or trustees to any or all of the foregoing persons.

(2) The term “trustee” does not include any person appointed or acting as a personal representative as defined in K.S.A. 59-102, and amendments thereto, or appointed or acting as a trustee of any testamentary trust or as a trustee of any indenture of trust under which any bonds have been or are to be issued.

(i) “Unlawful debt” means any money or other thing of value constituting principal or interest of a debt that is legally unenforceable in this state in whole or in part because the debt was incurred or contracted *in*:

(1) ~~in~~ Violation of any of the following provisions of law: Article 88 of chapter 74 of the Kansas Statutes Annotated, and amendments thereto, Kansas parimutuel racing act; K.S.A. 2021 Supp. 21-6404, and amendments thereto, gambling; K.S.A. 2021 Supp. 21-6405, and amendments thereto, illegal bingo operation; K.S.A. 2021 Supp. 21-6406, and amendments thereto, commercial gambling; K.S.A. 2021 Supp. 21-6407, and amendments thereto, dealing in gambling devices; K.S.A. 2021 Supp. 21-6408, and amendments thereto, unlawful possession of a gambling device; or K.S.A. 2021 Supp. 21-6409, and amendments thereto, installing communication facilities for gamblers; or

(2) ~~in~~ gambling activity in violation of federal law or in the business of lending money at a rate usurious under state or federal law.

Sec. 2. K.S.A. 2021 Supp. 21-6328 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 1, 2022.

CHAPTER 16

SENATE BILL No. 141

AN ACT enacting the Kansas uniform directed trust act; relating to power over a trust held by a nontrustee; establishing powers and duties of a trust director and a directed trustee; amending K.S.A. 58a-703 and K.S.A. 2021 Supp. 58a-103, 58a-105 and 58a-603 and repealing the existing sections; also repealing K.S.A. 58a-808.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. Sections 1 through 18, and amendments thereto, may be cited as the Kansas uniform directed trust act.

New Sec. 2. As used in the Kansas uniform directed trust act:

(1) “Breach of trust” includes a violation by a trust director or trustee of a duty imposed on that director or trustee by the terms of the trust, this act or law of this state pertaining to trusts other than this act.

(2) “Directed trust” means a trust for which the terms of the trust grant a power of direction.

(3) “Directed trustee” means a trustee that is subject to a trust director’s power of direction.

(4) “Person” means an individual, estate, business or nonprofit entity, public corporation, government or governmental subdivision, agency or instrumentality, or other legal entity.

(5) “Power of direction” means a power over a trust granted to a person by the terms of the trust to the extent the power is exercisable while the person is not serving as a trustee. The term includes a power over the investment, management, or distribution of trust property or other matters of trust administration. The term excludes the powers described in section 5(b), and amendments thereto.

(6) “Settlor” means a person, including a testator, that creates, or contributes property to, a trust. If more than one person creates or contributes property to a trust, each person is a settlor of the portion of the trust property attributable to that person’s contribution except to the extent another person has the power to revoke or withdraw that portion.

(7) “State” means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any other territory or possession subject to the jurisdiction of the United States.

(8) “Terms of a trust” means:

(A) Except as otherwise provided in subsection (8)(B), the manifestation of the settlor’s intent regarding a trust’s provisions as:

(i) Expressed in the trust instrument; or

(ii) established by other evidence that would be admissible in a judicial proceeding; or

(B) the trust’s provisions as established, determined, or amended by:

- (i) A trustee or trust director in accordance with applicable law;
- (ii) court order; or
- (iii) a nonjudicial settlement agreement under K.S.A. 58a-111, and amendments thereto.

(9) “Trust director” means a person that is granted a power of direction by the terms of a trust to the extent the power is exercisable while the person is not serving as a trustee. The person is a trust director whether or not the terms of the trust refer to the person as a trust director and whether or not the person is a beneficiary or settlor of the trust.

(10) “Trustee” includes an original, additional, and successor trustee, and a cotrustee.

New Sec. 3. (a) The Kansas uniform directed trust act applies to a trust, whenever created, that has its principal place of administration in this state, subject to the following rules:

(1) If the trust was created before July 1, 2022, this act applies only to a decision or action occurring on or after July 1, 2022.

(2) If the principal place of administration of the trust is changed to this state on or after July 1, 2022, this act applies only to a decision or action occurring on or after July 1, 2022.

(b) Without precluding other means to establish a sufficient connection with the designated jurisdiction in a directed trust, terms of the trust which designate the principal place of administration of the trust are valid and controlling if:

(1) A trustee’s principal place of business is located in or a trustee is a resident of the designated jurisdiction;

(2) a trust director’s principal place of business is located in or a trust director is a resident of the designated jurisdiction; or

(3) all or part of the administration occurs in the designated jurisdiction.

New Sec. 4. The common law and principles of equity supplement the Kansas uniform directed trust act, except to the extent modified by this act or law of this state other than this act.

New Sec. 5. (a) In this section, “power of appointment” means a power that enables a person acting in a nonfiduciary capacity to designate a recipient of an ownership interest in or another power of appointment over trust property.

(b) The Kansas uniform directed trust act does not apply to a:

(1) Power of appointment;

(2) power to appoint or remove a trustee or trust director;

(3) power of a settlor over a trust to the extent the settlor has a power to revoke the trust;

(4) power of a beneficiary over a trust to the extent the exercise or nonexercise of the power affects the beneficial interest of:

- (A) The beneficiary; or
- (B) another beneficiary represented by the beneficiary under K.S.A. 58a-301 through 58a-305, and amendments thereto, with respect to the exercise or nonexercise of the power; or
- (5) power over a trust if:
 - (A) The terms of the trust provide that the power is held in a nonfiduciary capacity; and
 - (B) the power must be held in a nonfiduciary capacity to achieve the settlor's tax objectives under the internal revenue code of 1986, as in effect on July 1, 2022.

(c) Unless the terms of a trust provide otherwise, a power granted to a person to designate a recipient of an ownership interest in or power of appointment over trust property which is exercisable while the person is not serving as a trustee is a power of appointment and not a power of direction.

New Sec. 6. (a) Subject to section 7, and amendments thereto, the terms of a trust may grant a power of direction to a trust director.

- (b) Unless the terms of a trust provide otherwise:
 - (1) A trust director may exercise any further power appropriate to the exercise or nonexercise of a power of direction granted to the director under subsection (a); and
 - (2) trust directors with joint powers must act by majority decision.

New Sec. 7. A trust director is subject to the same rules as a trustee in a like position and under similar circumstances in the exercise or nonexercise of a power of direction or further power under section 6(b)(1), and amendments thereto, regarding:

- (a) A payback provision in the terms of a trust necessary to comply with the reimbursement requirements of medicaid law in section 1917 of the social security act, 42 U.S.C. § 1396p(d)(4)(A), as in effect on July 1, 2022; and
- (b) a charitable interest in the trust, including notice regarding the interest to the attorney general.

New Sec. 8. (a) Subject to subsection (b), with respect to a power of direction or further power under section 6(b)(1), and amendments thereto:

- (1) A trust director has the same fiduciary duty and liability in the exercise or nonexercise of the power:
 - (A) If the power is held individually, as a sole trustee in a like position and under similar circumstances; or
 - (B) if the power is held jointly with a trustee or another trust director, as a cotrustee in a like position and under similar circumstances; and
- (2) the terms of the trust may vary the director's duty or liability to the same extent the terms of the trust could vary the duty or liability of a trustee in a like position and under similar circumstances.

(b) Unless the terms of a trust provide otherwise, if a trust director is licensed, certified, or otherwise authorized or permitted by law other than the Kansas uniform directed trust act to provide health care in the ordinary course of the director's business or practice of a profession, to the extent the director acts in that capacity, the director has no duty or liability under this act.

(c) The terms of a trust may impose a duty or liability on a trust director in addition to the duties and liabilities under this section.

New Sec. 9. (a) Subject to subsection (b), a directed trustee shall take reasonable action to comply with a trust director's exercise or nonexercise of a power of direction or further power under section 6(b)(1), and amendments thereto, and the trustee is not liable for the action.

(b) A directed trustee must not comply with a trust director's exercise or nonexercise of a power of direction or further power under section 6(b)(1), and amendments thereto, to the extent that by complying the trustee would engage in willful misconduct.

(c) An exercise of a power of direction under which a trust director may release a trustee or another trust director from liability for breach of trust is not effective if:

(1) The breach involved the trustee's or other director's willful misconduct;

(2) the release was induced by improper conduct of the trustee or other director in procuring the release; or

(3) at the time of the release, the director did not know the material facts relating to the breach.

(d) A directed trustee that has reasonable doubt about its duty under this section may petition the district court for instructions.

(e) The terms of a trust may impose a duty or liability on a directed trustee in addition to the duties and liabilities under this section.

New Sec. 10. (a) Subject to section 11, and amendments thereto, a trustee shall provide information to a trust director to the extent the information is reasonably related both to:

(1) The powers or duties of the trustee; and

(2) the powers or duties of the director.

(b) Subject to section 11, and amendments thereto, a trust director shall provide information to a trustee or another trust director to the extent the information is reasonably related both to:

(1) The powers or duties of the director; and

(2) the powers or duties of the trustee or other director.

(c) A trustee that acts in reliance on information provided by a trust director is not liable for a breach of trust to the extent the breach resulted from the reliance, unless by so acting the trustee engages in willful misconduct.

(d) A trust director that acts in reliance on information provided by a trustee or another trust director is not liable for a breach of trust to the extent the breach resulted from the reliance, unless by so acting the trust director engages in willful misconduct.

New Sec. 11. (a) Unless the terms of a trust provide otherwise:

(1) A trustee does not have a duty to:

(A) Monitor a trust director; or

(B) inform or give advice to a settlor, beneficiary, trustee, or trust director concerning an instance in which the trustee might have acted differently than the director; and

(2) by taking an action described in paragraph (1), a trustee does not assume the duty excluded by paragraph (1).

(b) Unless the terms of a trust provide otherwise:

(1) A trust director does not have a duty to:

(A) Monitor a trustee or another trust director; or

(B) inform or give advice to a settlor, beneficiary, trustee, or another trust director concerning an instance in which the director might have acted differently than a trustee or another trust director; and

(2) by taking an action described in paragraph (1), a trust director does not assume the duty excluded by paragraph (1).

New Sec. 12. The terms of a trust may relieve a cotrustee from duty and liability with respect to another cotrustee's exercise or nonexercise of a power of the other cotrustee to the same extent that in a directed trust a directed trustee is relieved from duty and liability with respect to a trust director's power of direction under sections 9 through 11, and amendments thereto.

New Sec. 13. (a) An action against a trust director for breach of trust must be commenced within the same limitation period as under K.S.A. 58a-1005, and amendments thereto, for an action for breach of trust against a trustee in a like position and under similar circumstances.

(b) A report or accounting has the same effect on the limitation period for an action against a trust director for breach of trust that the report or accounting would have under K.S.A. 58a-1005, and amendments thereto, in an action for breach of trust against a trustee in a like position and under similar circumstances.

New Sec. 14. In an action against a trust director for breach of trust, the director may assert the same defenses a trustee in a like position and under similar circumstances could assert in an action for breach of trust against the trustee.

New Sec. 15. (a) By accepting appointment as a trust director of a trust subject to the Kansas uniform directed trust act, the director submits to personal jurisdiction of the courts of this state regarding any matter related to a power or duty of the director.

(b) This section does not preclude other methods of obtaining jurisdiction over a trust director.

New Sec. 16. Unless the terms of a trust provide otherwise, the rules applicable to a trustee apply to a trust director regarding the following matters:

- (a) Acceptance under K.S.A. 58a-701, and amendments thereto;
- (b) giving of bond to secure performance under K.S.A. 58a-702, and amendments thereto;
- (c) reasonable compensation under K.S.A. 58a-708, and amendments thereto;
- (d) resignation under K.S.A. 58a-705, and amendments thereto;
- (e) removal under K.S.A. 58a-706, and amendments thereto; and
- (f) vacancy and appointment of successor under K.S.A. 58a-704, and amendments thereto.

New Sec. 17. In applying and construing this uniform act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

New Sec. 18. The Kansas uniform directed trust act modifies, limits or supersedes the federal electronic signatures in global and national commerce act, 15 U.S.C. § 7001 et seq., but does not modify, limit or supersede § 7001(c) of that act or authorize electronic delivery of any of the notices described in § 7003(b) of that act.

Sec. 19. K.S.A. 2021 Supp. 58a-103 is hereby amended to read as follows: 58a-103. As used in this code:

- (1) “Action,” with respect to an act of a trustee, includes a failure to act.
- (2) “Beneficiary” means a person that:
 - (A) Has a present or future beneficial interest in a trust, vested or contingent; or
 - (B) in a capacity other than that of trustee, holds a power of appointment over trust property.
- (3) “Charitable trust” means a trust, or portion of a trust, created for a charitable purpose described in K.S.A. 58a-405(a), and amendments thereto.
- (4) “Conservator” means a person appointed by the court pursuant to K.S.A. 59-3001 et seq., and amendments thereto, to administer the estate of a minor or adult individual.
- (5) “Environmental law” means a federal, state, or local law, rule, regulation, or ordinance relating to protection of the environment.
- (6) “Guardian” means a person appointed by the court pursuant to K.S.A. 59-3001 et seq., and amendments thereto, to make decisions regarding the support, care, education, health, and welfare of a minor or adult individual. The term does not include a guardian ad litem.

(7) “Interests of the beneficiaries” means the beneficial interests provided in the terms of the trust.

(8) “Jurisdiction,” with respect to a geographic area, includes a state or country.

(9) “Person” means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, government; governmental subdivision, agency, or instrumentality; public corporation, or any other legal or commercial entity.

(10) “Power of withdrawal” means a presently exercisable general power of appointment other than a power:

(A) Exercisable by a trustee and limited by an ascertainable standard relating to an individual’s health, education, support or maintenance within the meaning of section 2041(b)(1)(A) or 2514(c)(1) of the internal revenue code of 1986, as in effect on July 1, ~~2006~~ 2022; or

(B) exercisable by another person only upon consent of the trustee or a person holding an adverse interest.

(11) “Property” means anything that may be the subject of ownership, whether real or personal, legal or equitable, or any interest therein.

(12) (A) “Qualified beneficiary” means a beneficiary who, as of the date in question, either is eligible to receive mandatory or discretionary distributions of trust income or principal, or would be so eligible if the trust terminated on that date.

(B) For the purpose of trustee determining “qualified beneficiaries” of a trust in which a beneficial interest is subject to a power of appointment of any nature, the trustee may conclusively presume such power of appointment has not been exercised unless the trustee has been furnished by the powerholder or the legal representative of the powerholder or the powerholder’s estate with the original or a copy of an instrument validly exercising such power of appointment, in which event the qualified beneficiaries shall be subsequently determined by giving due consideration to such exercise unless and until the trustee has been given notification in a similar manner of an instrument which validly revokes or modifies such exercise.

(13) “Revocable,” as applied to a trust, means revocable by the settlor without the consent of the trustee or a person holding an adverse interest.

(14) “Settlor” means a person, including a testator, who creates, or contributes property to, a trust. If more than one person creates or contributes property to a trust, each person is a settlor of the portion of the trust property attributable to that person’s contribution except to the extent another person has the power to revoke or withdraw that portion.

(15) “Spendthrift provision” means a term of a trust which restrains either voluntary or involuntary transfer of a beneficiary’s interest.

(16) “State” means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or in-

sular possession subject to the jurisdiction of the United States. The term includes an Indian tribe or band recognized by federal law or formally acknowledged by a state.

(17) “Terms of a trust” means:

(A) Except as otherwise provided in subparagraph (B), the manifestation of the settlor’s intent regarding a trust’s provisions as:

~~(1)(i)~~ Expressed in the trust instrument; or

~~(2)(ii)~~ established by other evidence that would be admissible in a judicial proceeding; or

(B) the trust’s provisions as established, determined, or amended by:

~~(1)(i)~~ A trustee or person holding a power to direct under K.S.A. 58a-808, and amendments thereto, in accordance with applicable law;

~~(2)(ii)~~ court order; or

~~(3)(iii)~~ a nonjudicial settlement agreement under K.S.A. 58a-111, and amendments thereto.

(18) “Trust instrument” means an instrument executed by the settlor that contains terms of the trust, including any amendments thereto.

(19) “Trustee” includes an original, additional, and successor trustee, and a cotrustee.

Sec. 20. K.S.A. 2021 Supp. 58a-105 is hereby amended to read as follows: 58a-105. (a) Except as otherwise provided in the terms of the trust, this code governs the duties and powers of a trustee, relations among trustees and the rights and interests of a beneficiary.

(b) The terms of a trust prevail over any provision of this code except:

(1) The requirements for creating a trust;

(2) *subject to sections 9, 11 and 12, and amendments thereto*, the duty of a trustee to act in good faith and administer the trust in accordance with K.S.A. 58a-801, and amendments thereto;

(3) the requirement that a trust and its terms be for the benefit of its beneficiaries, and that the trust have a purpose that is lawful, not contrary to public policy and possible to achieve;

(4) the power of the court to modify or terminate a trust under K.S.A. 58a-410 through 58a-416, and amendments thereto;

(5) the effect of the rights of creditors to reach a trust as provided in article 5 of chapter 58a of the Kansas Statutes Annotated, and amendments thereto;

(6) the power of the court under K.S.A. 58a-702, and amendments thereto, to require, dispense with, or modify or terminate a bond;

(7) the power of the court under ~~subsection (b) of~~ K.S.A. 58a-708(b), and amendments thereto, to adjust a trustee’s compensation specified in the terms of the trust which is unreasonably low or high;

(8) the effect of an exculpatory term under K.S.A. 58a-1008, and amendments thereto;

(9) the rights under K.S.A. 58a-1010 through 58a-1013, and amendments thereto, of a person other than a trustee or beneficiary;

(10) periods of limitation for commencing a judicial proceeding under K.S.A. 58a-604, and amendments thereto;

(11) the power of the court to take such action and exercise such jurisdiction as may be necessary in the interests of justice; and

(12) the barring of claims against trusts and trustees under K.S.A. 58a-818, and amendments thereto.

(c) Notwithstanding any provisions of the Kansas uniform trust code to the contrary, any trust created by will and admitted to probate shall be subject to the requirements of chapter 59 of the Kansas Statutes Annotated, *and amendments thereto*.

Sec. 21. K.S.A. 2021 Supp. 58a-603 is hereby amended to read as follows: 58a-603. (a) While a trust is revocable, the duties of the trustee are owed exclusively to the settlor. *While a trust is revocable, the trustee may follow a direction of the settlor that is contrary to the terms of the trust.*

(b) During the period a power of withdrawal may be exercised, the holder of the power has the rights of a settlor of a revocable trust under this section to the extent of the property subject to the power.

(c) (1) If a settlor of a revocable trust is or becomes an incapacitated person, on petition of the settlor's legal representative, an adult member of the settlor's family or any interested person, including a person interested in the welfare of the settlor, for good cause shown, the court may: Order the trustee to exercise or refrain from exercising the trustee's authority in a manner inconsistent with the trustee's fiduciary responsibilities under the provisions of the trust; remove the trustee; require the trustee to account; and issue such other orders as the court finds will be in the best interests of the settlor.

(2) (A) The court may require any person petitioning for any such order to file a bond in such amount and with such sureties as required by the court to indemnify either the trustee or the trust estate for the expenses, including attorney fees, incurred with respect to such proceeding.

(B) None of the actions described in this section shall be taken by the court until after hearing upon reasonable notice to the trustee, the settlor, and any legal representative of the settlor, such as a conservator or attorney-in-fact under a durable power of attorney authorizing the attorney-in-fact to act on the behalf of the settlor in such matters.

(C) If there is no legal representative of the settlor, the court shall appoint a guardian ad litem to represent the settlor in such proceeding.

(D) In the event of an emergency as determined by the court, the court, without notice, may enter such temporary order as seems proper to the court, but no such temporary order shall be effective for more than

30 days unless extended by the court after hearing on reasonable notice to the persons identified as herein provided.

Sec. 22. K.S.A. 58a-703 is hereby amended to read as follows: 58a-703. (a) Cotrustees who are unable to reach a unanimous decision may act by majority decision.

(b) If a vacancy occurs in a cotrusteeship, the remaining cotrustees may act for the trust.

(c) *Subject to section 12, and amendments thereto*, a cotrustee must participate in the performance of a trustee's function unless the cotrustee is unavailable to perform the function because of absence, illness, disqualification under other law, or other temporary incapacity or the cotrustee has properly delegated the performance of the function to another trustee.

(d) If a cotrustee is unavailable to perform duties because of absence, illness, disqualification under other law, or other temporary incapacity, and prompt action is necessary to achieve the purposes of the trust or to avoid injury to the trust property, the remaining cotrustee or a majority of the remaining cotrustees may act for the trust.

(e) A trustee may not delegate to a cotrustee the performance of a function the settlor reasonably expected the trustees to perform jointly. Unless a delegation was irrevocable, a trustee may revoke a delegation previously made.

(f) Except as otherwise provided in subsection (g), a trustee who does not join in an action of another trustee is not liable for the action.

(g) *Subject to section 12, and amendments thereto*, each trustee shall exercise reasonable care to:

- (1) Prevent a cotrustee from committing a breach of trust; and
- (2) compel a cotrustee to redress a breach of trust.

(h) A dissenting trustee who joins in an action at the direction of the majority of the trustees and who notified any cotrustee of the dissent, in writing, at or before the time of the action is not liable for the action.

Sec. 23. K.S.A. 58a-703 and 58a-808 and K.S.A. 2021 Supp. 58a-103, 58a-105 and 58a-603 are hereby repealed.

Sec. 24. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 1, 2022.

CHAPTER 17

SENATE BILL No. 336

AN ACT concerning insurance; relating to permissible investments made by life insurance companies; updating certain investment limitation requirements to provide increased options for Kansas domiciled life insurance companies investing in equity interests and preferred stock; amending K.S.A. 40-2b06 and 40-2b07 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 40-2b06 is hereby amended to read as follows: 40-2b06. Any life insurance company ~~heretofore or hereafter~~ organized under any law of this state may invest by loans or otherwise, with the direction or approval of a majority of its board of directors or authorized committee thereof, any of its funds, or any part thereof in preferred stocks of, or stocks guaranteed by, a corporation incorporated under the laws of the United States of America, or of any state, district, insular or territorial possession thereof, or of the Dominion of Canada, or any province thereof, in an amount not to exceed 25% of its admitted assets as shown by the company's last annual report, as filed with the state commissioner of insurance, or a more recent quarterly financial statement ~~as filed with the commissioner, on a form prescribed by the national association of insurance commissioners,~~ filed within 45 days following the end of the calendar quarter to which the interim statement pertains, ~~and which meets the following qualifications:~~

(a) ~~All bonds or other evidences of indebtedness and preferred stocks shown on the last published annual statement of the issuing corporation, if any, senior to the preferred stock acquired must be eligible as investments under K.S.A. 40-2b05 or 40-2b06, and amendments thereto, as of the date of acquisition;~~

(b) ~~if cumulative preferred, not in arrears as to dividends, or if noncumulative, has paid full dividends in each of the last three years;~~

(c) ~~sinking fund payments are on a current basis;~~

(d) ~~if net earnings available for fixed charges for the most recently completed three fiscal year period is at least equal to 1 1/4 times the aggregate fixed charges, plus full contingent interest and preferred dividend requirements of the preferred stock under consideration and those on a parity therewith or having a priority thereto, for the same period; and~~

(e) ~~the corporation must have been in existence for a period of not less than five years.~~

(f) (1) ~~“Fixed charges” shall include actual interest incurred in each year on funded and unfunded debt; and~~

(2) ~~“net earnings” shall mean income, before deducting interest on funded and unfunded debt, and after deducting operating and maintenance expenses, depreciation and depletion and all taxes, including income taxes. Extraordinary, nonrecurring items of income or expenses~~

~~shall be excluded in the form and manner prescribed by the commissioner in rules and regulations.~~

Sec. 2. K.S.A. 40-2b07 is hereby amended to read as follows: 40-2b07. (a) Any life insurance company organized under any law of this state may invest by loans or otherwise, with the direction or approval of a majority of its board of directors or authorized committee thereof, any of its funds, or any part thereof in the equity interests of any business entity organized and doing business under the laws of the United States or any state, or of the District of Columbia, or of the Dominion of Canada or any province ~~of the Dominion of Canada thereof~~, in an amount, based upon cost, ~~not exceeding 15% to exceed 20%~~ of its admitted assets as shown by the company's last annual report as filed with the ~~state~~ commissioner of insurance or a more recent quarterly financial statement ~~as filed with the commissioner, on a form prescribed by the national association of insurance commissioners, filed~~ within 45 days following the end of the calendar quarter to which the interim statement pertains *in the form and manner prescribed by the commissioner in rules and regulations*. Such life insurance company may write exchange traded, covered call options on equity interests it owns and may purchase call options for the sole purpose of closing out a position taken previously with respect to one or more options having been written. The purchase of a call option for any reason other than as a closing transaction and the writing of naked, uncovered, call options are hereby prohibited. Investments in equity interests and the writing of call options shall be further limited as ~~provided in subsections (a) through (g) except that subsections (a) through (e) shall only apply to an amount that exceeds 7.5% of a life insurance company's admitted assets.~~

(a) ~~The obligations, if any, shown on the last published annual statement of such business entity must be eligible for investment under K.S.A. 40-2b05, and amendments thereto;~~

(b) ~~cash dividends have been paid during each of the last three years preceding the date of acquisition;~~

(c) ~~the equity interest is registered with a national securities exchange regulated under the securities exchange act of 1934, as amended, or is regularly traded on a national or regional basis;~~

(d) ~~the business entity shall have earnings in three of the last five years preceding the date of acquisition;~~

(e) *follows:*

(1) At no time shall an insurance company invest ~~in more than 5% of the outstanding equity interests of any one such business entity, nor an amount more than 2% of the investing such insurance company's admitted assets in the outstanding equity interests of any one such business entity, determined on the basis of the cost of such equity interests to the insurance company at time of purchase; and~~

(f)(2) an equity interest owned by an insurance company that is obligated under an unexpired written call option shall be valued at the lesser of the striking price or current market value. For the purposes of this subsection, “striking price” means the price per equity interest, exclusive of selling costs, the company would receive should the call option be exercised by the holder;

~~(g) the provisions of subsections (b) and (d) shall not apply if at the time of acquisition:~~

~~(1) The issuing business entity has net assets of \$10,000,000 or more;~~
~~(2) the issuing business entity has a net worth of \$1,000,000 or more;~~
~~and~~

~~(3) the issuing business entity has an aggregate market value of \$500,000,000 or more.~~

~~(h)~~(b) As used in this section:

(1) “Business entity” includes a sole proprietorship, corporation, limited liability company, association, partnership, joint stock company, joint venture, mutual fund, trust, joint tenancy or similar form of business organization, whether organized for profit or not-for-profit.

(2) “Equity interest” means any of the following:

(A) Common stock;

(B) trust certificate;

(C) equity investment in an investment company other than a money market mutual fund permitted under K.S.A. 40-2b24, and amendments thereto;

(D) investment in a common trust fund of a bank regulated by a federal or state agency;

(E) an ownership interest in minerals, oil or gas, the rights to which have been separated from the underlying fee interest in the real estate where the minerals, oil or gas are located;

(F) instruments ~~which~~ *that* are mandatorily, or at the option of the issuer, convertible to equity;

(G) limited partnership interests;

(H) member interests in limited liability companies;

(I) warrants or other rights to acquire equity interests that are created by the person that owns or would issue the equity to be acquired; or

(J) any other security representing an ownership interest in a business entity.

Sec. 3. K.S.A. 40-2b06 and 40-2b07 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 1, 2022.

CHAPTER 18

SENATE BILL No. 417

AN ACT concerning health and environment; relating to solid waste; establishing minimum and maximum permit renewal fees for certain disposal areas and processing facilities; amending K.S.A. 65-3407 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 65-3407 is hereby amended to read as follows: 65-3407. (a) Except as otherwise provided by K.S.A. 65-3407c, and amendments thereto, no person shall construct, alter or operate a solid waste processing facility or a solid waste disposal area of a solid waste management system, except for clean rubble disposal sites, without first obtaining a permit from the secretary.

(b) Every person desiring to obtain a permit to construct, alter or operate a solid waste processing facility or disposal area shall make application for such a permit on forms provided for such purpose by the rules and regulations of the secretary and shall provide the secretary with such information as necessary to show that the facility or area will comply with the purpose of this act. Upon receipt of any application and payment of the application fee, the secretary, with advice and counsel from the local health authorities and the county commission, shall make an investigation of the proposed solid waste processing facility or disposal area and determine whether it complies with the provisions of this act and any rules and regulations and standards adopted thereunder. The secretary also may consider the need for the facility or area in conjunction with the county or regional solid waste management plan. If the investigation reveals that the facility or area conforms with the provisions of the act and the rules and regulations and standards adopted thereunder, the secretary shall approve the application and shall issue a permit for the operation of each solid waste processing or disposal facility or area set forth in the application. If the facility or area fails to meet the rules and regulations and standards required by this act the secretary shall issue a report to the applicant stating the deficiencies in the application. The secretary may issue temporary permits conditioned upon corrections of construction methods being completed and implemented.

(c) Before reviewing any application for permit, the secretary shall conduct a background investigation of the applicant. The secretary shall consider the financial, technical and management capabilities of the applicant as conditions for issuance of a permit. The secretary may reject the application prior to conducting an investigation into the merits of the application if the secretary finds that:

(1) The applicant currently holds, or in the past has held, a permit under this section and while the applicant held a permit under this section

the applicant violated a provision of ~~subsection (a) of K.S.A. 65-3409(a), and amendments thereto;~~~~or~~

(2) the applicant previously held a permit under this section and that permit was revoked by the secretary;~~or~~

(3) the applicant failed or continues to fail to comply with any of the provisions of the air, water or waste statutes, including rules and regulations issued thereunder, relating to environmental protection or to the protection of public health in this or any other state or the federal government of the United States, or any condition of any permit or license issued by the secretary; or if the secretary finds that the applicant has shown a lack of ability or intention to comply with any provision of any law referred to in this subsection or any rule and regulation or order or permit issued pursuant to any such law as indicated by past or continuing violations; or

(4) the applicant is a corporation and any principal, shareholder, or other person capable of exercising total or partial control of such corporation could be determined ineligible to receive a permit pursuant to ~~subsection (e) paragraph (1), (2) or (3) above.~~

(d) Before reviewing any application for a permit, the secretary may request that the attorney general perform a comprehensive criminal background investigation of the applicant; or in the case of a corporate applicant, any principal, shareholder or other person capable of exercising total or partial control of the corporation. The secretary may reject the application prior to conducting an investigation into the merits of the application if the secretary finds that serious criminal violations have been committed by the applicant or a principal of the corporation.

(e) (1) The fees for a solid waste processing or disposal permit shall be established by rules and regulations adopted by the secretary. The fee for the application and original permit shall not exceed \$5,000. Except as provided by ~~paragraph~~ *paragraphs (2) and (3)*, the annual permit renewal fee shall not exceed \$2,000. No refund shall be made in case of revocation. In establishing fees for a construction and demolition landfill, the secretary shall adopt a differential fee schedule based upon the volume of construction and demolition waste to be disposed of at such landfill. All fees shall be deposited in the state treasury and credited to the solid waste management fund. *Except for the annual permit renewal fees provided in paragraph (3)*, a city, county, other political subdivision or state agency shall be exempt from payment of the fee but shall meet all other provisions of this act.

(2) *Except as provided in paragraph (3)*, the annual permit renewal fee for a solid waste disposal area ~~which~~ *that* is permitted by the secretary, owned or operated by the facility generating the waste and used only for industrial waste generated by such facility shall be not less than \$1,000

~~not~~ and not more than \$4,000. In establishing fees for such disposal areas, the secretary shall adopt a differential fee schedule based upon the characteristics of the disposal area sites.

(3) (A) *For each solid waste disposal area and each solid waste processing facility that is permitted by the secretary and subject to the requirements of 40 C.F.R. 257 subpart D, as in effect on July 1, 2017, or any later version adopted by reference by the secretary in rules and regulations, the annual permit renewal fee shall be not less than \$12,000 and not more than \$16,000.*

(B) *The minimum fee shall apply until a fee schedule is established by the secretary in rules and regulations.*

(C) *If a single permit encompasses more than one solid waste disposal area or solid waste processing facility, the total fee for the permit shall be an amount equal to the sum of the fees for each solid waste disposal area and each solid waste processing facility subject to 40 C.F.R. 257 subpart D encompassed in the permit.*

(D) *The first annual permit fee is due on September 1, 2022.*

(E) *If such solid waste disposal area or solid waste processing facility is operating under a federally issued coal combustion residuals (CCR) permit that includes all applicable requirements of 40 C.F.R. 257 subpart D, then the fees provided in this paragraph shall no longer apply and such disposal area or facility shall be subject to the fees provided in paragraph (2).*

(F) *Upon a determination by the department of health and environment that such solid waste disposal area or solid waste processing facility has met all applicable post-closure care requirements of 40 C.F.R. 257 subpart D, and article 29 of the Kansas administrative regulations, then such disposal area or facility shall no longer be subject to permitting under this paragraph.*

(f) Plans, designs and relevant data for the construction of solid waste processing facilities and disposal sites shall be prepared by a professional engineer licensed to practice in Kansas and shall be submitted to the department for approval prior to the construction, alteration or operation of such facility or area. In adopting rules and regulations, the secretary may specify sites, areas or facilities where the environmental impact is minimal and may waive such preparation requirements provided that a review of such plans is conducted by a professional engineer licensed to practice in Kansas.

(g) Each permit granted by the secretary, as provided in this act, shall be subject to such conditions as the secretary deems necessary to protect human health and the environment and to conserve the sites. Such conditions shall include approval by the secretary of the types and quantities of solid waste allowable for processing or disposal at the permitted location.

(h) (1) Before issuing or renewing a permit to operate a solid waste processing facility or solid waste disposal area, the secretary shall require the permittee to demonstrate that funds are available to ensure payment of the cost of closure and postclosure care and provide liability insurance for accidental occurrences at the permitted facility.

~~(1)~~(2) If the permittee owns the land where the solid waste processing facility or disposal area is located or the permit for the facility was issued before the date this act is published in the Kansas register, the permittee shall satisfy the financial assurance requirement for closure and postclosure care by providing a trust fund, a surety bond guaranteeing payment, an irrevocable letter of credit or insurance policy, or by passing a financial test or obtaining a financial guarantee from a related entity, to guarantee the future availability of funds. The secretary shall prescribe the methods to be used by a permittee to demonstrate sufficient financial strength to become eligible to use a financial test or a financial guarantee procedure in lieu of providing the other financial instruments. Solid waste processing facilities or disposal areas, except municipal solid waste landfills, may also demonstrate financial assurance costs by use of ad valorem taxing power.

~~(2)~~(3) If the permittee does not own the land where the solid waste processing facility or disposal area is located and the permit for the facility is issued after the date this act is published in the Kansas register, the permittee shall satisfy the financial assurance requirement for closure and postclosure care by providing a trust fund, a surety bond guaranteeing payment, or an irrevocable letter of credit.

~~(3)~~(4) The secretary shall require each permittee of a solid waste processing facility or disposal area to provide liability insurance coverage during the period that the facility or area is active, and during the term of the facility or area is subject to postclosure care, in such amount as determined by the secretary to insure the financial responsibility of the permittee for accidental occurrences at the site of the facility or area. Any such liability insurance as may be required pursuant to this subsection or pursuant to the rules and regulations of the secretary shall be issued by an insurance company authorized to do business in Kansas or by a licensed insurance agent operating under authority of K.S.A. 40-246b, and amendments thereto, and shall be subject to the insurer's policy provisions filed with and approved by the commissioner of insurance pursuant to K.S.A. 40-216, and amendments thereto, except as authorized by K.S.A. 40-246b, and amendments thereto. Nothing contained in this subsection shall be deemed to apply to any state agency or department or agency of the federal government.

(i) (1) Permits granted by the secretary as provided by this act shall not be transferable except as follows:

(A) A permit for a solid waste disposal area may be transferred if the area is permitted for only solid waste produced on site from manufacturing and industrial processes or on-site construction or demolition activities and the only change in the permit is a name change resulting from a merger, acquisition, sale, corporate restructuring or other business transaction.

(B) A permit for a solid waste disposal area or a solid waste processing facility may be transferred if the secretary approves of the transfer based upon information submitted to the secretary sufficient to conduct a background investigation of the new owner as specified in subsections (c) and (d) of K.S.A. 65-3407, and amendments thereto, and a financial assurance evaluation as specified in subsection (h) of K.S.A. 65-3407, and amendments thereto. Such information shall be submitted to the secretary not more than one year nor less than 60 days before the transfer. If the secretary does not approve or disapprove the transfer within 30 days after all required information is submitted to the secretary, the transfer shall be deemed to have been approved.

(2) Permits granted by the secretary as provided by this act shall be revocable or subject to suspension whenever the secretary shall determine that the solid waste processing or disposal facility or area is, or has been constructed or operated in violation of this act or the rules and regulations or standards adopted pursuant to the act, or is creating or threatens to create a hazard to persons or property in the area or to the environment, or is creating or threatens to create a public nuisance, or upon the failure to make payment of any fee required under this act.

(3) The secretary also may revoke, suspend or refuse to issue a permit when the secretary determines that past or continuing violations of the provisions of subsection (c)(3) or K.S.A. 65-3409, subsection (c)(3) of K.S.A. 65-3407 or K.S.A. 65-3424b, and amendments thereto, have been committed by a permittee, or any principal, shareholder or other person capable of exercising partial or total control over a permittee.

(j) Except as otherwise provided by subsection (i)(1), the secretary may require a new permit application to be submitted for a solid waste processing facility or a solid waste disposal area in response to any change, either directly or indirectly, in ownership or control of the permitted real property or the existing permittee.

(k) In case any permit is denied, suspended or revoked the person, city, county or other political subdivision or state agency may request a hearing before the secretary in accordance with K.S.A. 65-3412, and amendments thereto.

(l) (1) No permit to construct or operate a solid waste disposal area shall be issued on or after the effective date of this act if such area is located within $\frac{1}{2}$ mile of a navigable stream used for interstate commerce or within one mile of an intake point for any public surface water supply system.

(2) Any permit, issued before the effective date of this act, to construct or operate a solid waste disposal area is hereby declared void if such area is not yet in operation and is located within $\frac{1}{2}$ mile of a navigable stream used for interstate commerce or within one mile of an intake point for any public surface water supply system.

(3) The provisions of this subsection shall not be construed to prohibit:

(A) Issuance of a permit for lateral expansion onto land contiguous to a permitted solid waste disposal area in operation on the effective date of this act;

(B) issuance of a permit for a solid waste disposal area for disposal of a solid waste by-product produced on-site;

(C) renewal of an existing permit for a solid waste area in operation on the effective date of this act; or

(D) activities ~~which are~~ regulated under K.S.A. 65-163 through 65-165 or 65-171d, and amendments thereto.

(m) Before reviewing any application for a solid waste processing facility or solid waste disposal area, the secretary shall require the following information as part of the application:

(1) Certification by the board of county commissioners or the mayor of a designated city responsible for the development and adoption of the solid waste management plan for the location where the processing facility or disposal area is or will be located that the processing facility or disposal area is consistent with the plan. This certification shall not apply to a solid waste disposal area for disposal of only solid waste produced on site from manufacturing and industrial processes or from on-site construction or demolition activities.

(2) If the location is zoned, certification by the local planning and zoning authority that the processing facility or disposal area is consistent with local land use restrictions or, if the location is not zoned, certification from the board of county commissioners that the processing facility or disposal area is compatible with surrounding land use.

(3) For a solid waste disposal area permit issued on or after July 1, 1999, proof that the applicant either owns the land where the disposal area will be located or operates the solid waste disposal area for an adjacent or on-site industrial facility, if the disposal area is:

(A) A municipal solid waste landfill; or

(B) a solid waste disposal area that has:

(i) A leachate or gas collection or treatment system;

(ii) waste containment systems or appurtenances with planned maintenance schedules; or

(iii) an environmental monitoring system with planned maintenance schedules or periodic sampling and analysis requirements.

(4) If the applicant does not own the land, the applicant shall also provide proof that the applicant has acquired and duly recorded an easement to the landfill property. The easement shall authorize the applicant to carry out landfill operations, closure, post-closure care, monitoring, and all related construction activities on the landfill property as required by applicable solid waste laws and regulations, as established in permit conditions, or as ordered or directed by the secretary. Such easement shall run with the land if the landfill property is transferred and the easement may only be vacated with the consent of the secretary. These requirements shall not apply to a permit for lateral or vertical expansion contiguous to a permitted solid waste disposal area in operation on July 1, 1999, if such expansion is on land leased by the permittee before April 1, 1999.

Sec. 2. K.S.A. 65-3407 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 1, 2022.

CHAPTER 19

SENATE BILL No. 419

AN ACT concerning law enforcement; relating to special agents of the department of corrections; the commission on peace officers' standards and training; Kansas law enforcement training act; amending K.S.A. 74-5602 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. The secretary of corrections may, with the consent of the director of police training, designate an employee of the department other than a special agent, to attend the law enforcement training center or any training school certified pursuant to K.S.A. 74-5604a, and amendments thereto, or to attend courses provided by the training center or training schools. The employee and the department of corrections shall be provided a transcript of the courses successfully completed by the employee.

Sec. 2. K.S.A. 74-5602 is hereby amended to read as follows: 74-5602. As used in the Kansas law enforcement training act:

(a) "Training center" means the law enforcement training center within the university of Kansas, created by K.S.A. 74-5603, and amendments thereto.

(b) "Commission" means the Kansas commission on peace officers' standards and training, created by K.S.A. 74-5606, and amendments thereto, or the commission's designee.

(c) "Chancellor" means the chancellor of the university of Kansas, or the chancellor's designee.

(d) "Director of police training" means the director of police training at the law enforcement training center.

(e) "Director" means the executive director of the Kansas commission on peace officers' standards and training.

(f) "Law enforcement" means the prevention or detection of crime and the enforcement of the criminal or traffic laws of this state or of any municipality thereof.

(g) "Police officer" or "law enforcement officer" means a full-time or part-time salaried officer or employee of the state, a county or a city, whose duties include the prevention or detection of crime and the enforcement of the criminal or traffic laws of this state or of any municipality thereof. Such terms shall include, but not be limited to: The sheriff, undersheriff and full-time or part-time salaried deputies in the sheriff's office in each county; deputy sheriffs deputized pursuant to K.S.A. 19-2858, and amendments thereto; conservation officers of the Kansas department of wildlife, parks and tourism; university police officers, as defined in K.S.A. 22-2401a, and amendments thereto; campus police officers, as

defined in K.S.A. 22-2401a, and amendments thereto; law enforcement agents of the director of alcoholic beverage control; law enforcement agents designated by the secretary of revenue pursuant to K.S.A. 2021 Supp. 75-5157, and amendments thereto; law enforcement agents of the Kansas lottery; law enforcement agents of the Kansas racing commission; deputies and assistants of the state fire marshal having law enforcement authority; capitol police, existing under the authority of K.S.A. 75-4503, and amendments thereto; ~~special investigators of the juvenile justice authority~~ *special agents of the department of corrections*; special investigators designated by the secretary of labor; and law enforcement officers appointed by the adjutant general pursuant to K.S.A. 48-204, and amendments thereto. Such terms shall also include railroad policemen appointed pursuant to K.S.A. 66-524, and amendments thereto; school security officers designated as school law enforcement officers pursuant to K.S.A. 72-6146, and amendments thereto; the manager and employees of the horsethief reservoir benefit district pursuant to K.S.A. 2021 Supp. 82a-2212, and amendments thereto; and the director of the Kansas commission on peace officers' standards and training and any other employee of such commission designated by the director pursuant to K.S.A. 74-5603, and amendments thereto, as a law enforcement officer. Such terms shall not include any elected official, other than a sheriff, serving in the capacity of a law enforcement or police officer solely by virtue of such official's elected position; any attorney-at-law having responsibility for law enforcement and discharging such responsibility solely in the capacity of an attorney; ~~any employee of the commissioner of juvenile justice who is employed solely to perform correctional, administrative or operational duties related to juvenile correctional facilities~~; any employee of the secretary of corrections; *other than a special agent*; any employee of the secretary for children and families; any deputy conservation officer of the Kansas department of wildlife, parks and tourism; or any employee of a city or county who is employed solely to perform correctional duties related to jail inmates and the administration and operation of a jail; or any full-time or part-time salaried officer or employee whose duties include the issuance of a citation or notice to appear provided such officer or employee is not vested by law with the authority to make an arrest for violation of the laws of this state or any municipality thereof, and is not authorized to carry firearms when discharging the duties of such person's office or employment. Such term shall include any officer appointed or elected on a provisional basis.

(h) "Full-time" means employment requiring at least 1,000 hours of law enforcement related work per year.

(i) "Part-time" means employment on a regular schedule or employment which requires a minimum number of hours each payroll period,

but in any case requiring less than 1,000 hours of law enforcement related work per year.

(j) “Misdemeanor crime of domestic violence” means a violation of domestic battery as provided by K.S.A. 21-3412a, prior to its repeal, or K.S.A. 2021 Supp. 21-5414, and amendments thereto, or any other misdemeanor under federal, municipal or state law that has as an element the use or attempted use of physical force, or the threatened use of a deadly weapon, committed against a person with whom the offender is involved or has been involved in a “dating relationship” or is a “family or household member” as defined in K.S.A. 2021 Supp. 21-5414, and amendments thereto, at the time of the offense.

(k) “Auxiliary personnel” means members of organized nonsalaried groups who operate as an adjunct to a police or sheriff’s department, including reserve officers, posses and search and rescue groups.

(l) “Active law enforcement certificate” means a certificate ~~which~~ *that* attests to the qualification of a person to perform the duties of a law enforcement officer and ~~which~~ *that* has not been suspended or revoked by action of the Kansas commission on peace officers’ standards and training and has not lapsed by operation of law as provided in K.S.A. 74-5622, and amendments thereto.

Sec. 3. K.S.A. 74-5602 is hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 1, 2022.

CHAPTER 20

SENATE BILL No. 440

AN ACT concerning health and health professions; relating to the occupational therapy practice act; authorizing occupational therapists to provide limited services to patients without a referral; amending K.S.A. 65-5401 and 65-5402 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. (a) Except as otherwise provided in subsection (c), an occupational therapist may evaluate and initiate occupational therapy treatment on a patient without referral from a healthcare practitioner.

(1) An occupational therapist who is treating a patient without a referral from a healthcare practitioner shall obtain a referral from an appropriate healthcare practitioner prior to continuing treatment if the patient:

(A) Is not progressing toward documented treatment goals as demonstrated by objective, measurable or functional improvement, or any combination thereof, after ten patient visits or in a period of 30 calendar days from the initial treatment visits following the initial evaluation visit; or

(B) within one year from the initial treatment visits following the initial evaluation visit, returns to the occupational therapist seeking treatment for the same condition or injury.

(b) Occupational therapists may provide services without a referral to:

(1) Employees solely for the purpose of education and instruction related to workplace injury prevention;

(2) the public for the purpose of health promotion, education, and functional independence in activities of daily living; or

(3) special education students who need occupational therapy services to fulfill the provisions of their individualized education plan (IEP) or individualized family service plan (IFSP).

(c) Nothing in this section shall be construed to prevent a hospital or ambulatory surgical center from requiring a physician order or make a referral for occupational therapy services for a patient currently being treated in such facility.

(d) When a patient self-refers to an occupational therapist pursuant to this section, the occupational therapist, prior to commencing treatment, shall provide written notice to the patient that an occupational therapy diagnosis is not a medical diagnosis by a physician.

(f) Occupational therapists shall perform wound care management services only after approval by a person licensed to practice medicine and surgery.

(g) As used in this section, “healthcare practitioner” means: A person licensed by the state board of healing arts to practice medicine and surgery, osteopathic medicine and surgery or chiropractic; a “mid-level

practitioner” as defined in K.S.A. 65-1626, and amendments thereto; or a licensed dentist or licensed optometrist in appropriately related cases.

New Sec. 2. Professional liability insurance coverage shall be maintained in effect by each licensed occupational therapist actively practicing in this state as a condition of rendering professional services as an occupational therapist in this state. The board shall fix by rules and regulations the minimum level of coverage for such professional liability insurance.

Sec. 3. K.S.A. 65-5401 is hereby amended to read as follows: 65-5401. ~~K.S.A. 65-5401 to 65-5417, inclusive~~ *through K.S.A. 65-6521, and amendments thereto, and sections 1 and 2, and amendments thereto,* shall be known and may be cited as the occupational therapy practice act.

Sec. 4. K.S.A. 65-5402 is hereby amended to read as follows: 65-5402. ~~As used in K.S.A. 65-5401 to 65-5417, inclusive, and K.S.A. 65-5418 to 65-5420, inclusive, and amendments thereto~~ *the occupational therapy practice act:*

(a) “Board” means the state board of healing arts.

(b) “Practice of occupational therapy” means the therapeutic use of purposeful and meaningful occupations ~~(or goal-directed activities)~~ to evaluate and treat, ~~pursuant to the referral, supervision, order or direction of a physician, a licensed podiatrist, a licensed dentist, a licensed physician assistant, or a licensed advanced practice registered nurse working pursuant to the order or direction of a person licensed to practice medicine and surgery, a licensed chiropractor, or a licensed optometrist,~~ individuals who have a disease or disorder, impairment, activity limitation or participation restriction that interferes with their ability to function independently in daily life roles and to promote health and wellness.

(1) Occupational therapy intervention may include:

~~(1)(A)~~ Remediation or restoration of performance abilities that are limited due to impairment in biological, physiological, psychological or neurological cognitive processes;

~~(2)(B)~~ adaptation of tasks, process, or the environment or the teaching of compensatory techniques in order to enhance performance;

~~(3)(C)~~ disability prevention methods and techniques that facilitate the development or safe application of performance skills; and

~~(4)(D)~~ health promotion strategies and practices that enhance performance abilities.

(2) *The “practice of occupational therapy” does not include the practice of any branch of the healing arts or making a medical diagnosis.*

(c) “Occupational therapy services” include, but are not limited to:

(1) Evaluating, developing, improving, sustaining, or restoring skills in activities of daily living (ADL), work or productive activities, including instrumental activities of daily living (IADL) and play and leisure activities;

(2) evaluating, developing, remediating, or restoring sensorimotor, cognitive or psychosocial components of performance;

(3) designing, fabricating, applying, or training in the use of assistive technology or orthotic devices and training in the use of prosthetic devices;

(4) adapting environments and processes, including the application of ergonomic principles, to enhance performance and safety in daily life roles;

(5) applying physical agent modalities as an adjunct to or in preparation for engagement in occupations;

(6) evaluating and providing intervention in collaboration with the client, family, caregiver or others;

(7) educating the client, family, caregiver or others in carrying out appropriate nonskilled interventions; and

(8) consulting with groups, programs, organizations or communities to provide population-based services.

(d) “Occupational therapist” means a person licensed to practice occupational therapy as defined in this act.

(e) “Occupational therapy assistant” means a person licensed to assist in the practice of occupational therapy under the supervision of an occupational therapist.

(f) “Person” means any individual, partnership, unincorporated organization or corporation.

(g) “Physician” means a person licensed to practice medicine and surgery.

(h) “Occupational therapy aide,” “occupational therapy tech” or “occupational therapy paraprofessional” means a person who provides supportive services to occupational therapists and occupational therapy assistants in accordance with K.S.A. 65-5419, and amendments thereto.

Sec. 5. K.S.A. 65-5401 and 65-5402 are hereby repealed.

Sec. 6. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 1, 2022.

CHAPTER 21

SENATE BILL No. 448

AN ACT concerning insurance; relating to the unfair trade practices act; adopting the national association of insurance commissioners' amendments thereto; amending K.S.A. 40-966, 40-2404 and 40-4909 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 40-966 is hereby amended to read as follows: 40-966. (a) No broker or ~~agent~~ *producer* shall knowingly charge, demand or receive a premium for any policy of insurance except in accordance with the provisions of this act. No insurer or employee thereof, and no broker or ~~agent~~ *producer* shall pay, allow, ~~or give, or~~ offer to pay, *or* allow to give, directly or indirectly, as an inducement to insurance, or after insurance has been effected, any rebate, discount, abatement, credit or reduction of the premium named in a policy of insurance, or any special favor or advantage in the dividends or other benefits to accrue thereon, or any valuable consideration or inducement whatever, not specified in the policy of insurance, except to the extent provided for in an applicable filing *or otherwise permitted by law*. No insured named in a policy of insurance, or any employee of such insured shall knowingly receive or accept directly or indirectly, any such rebate, discount, abatement, credit or reduction of premium, or any such special favor or valuable consideration or inducement. Nothing in this section shall be construed as prohibiting the payment of commissions or other compensation to duly licensed agents and brokers, nor as prohibiting any insurer from allowing or returning to its participating policyholder, members or subscribers, dividends, savings or unabsorbed premium deposits.

(b) As used in this section ~~the word~~, "insurance" includes suretyship and ~~the word~~ "policy" includes bond.

Sec. 2. K.S.A. 40-2404 is hereby amended to read as follows: 40-2404. The following are hereby defined as unfair methods of competition and unfair or deceptive acts or practices in the business of insurance:

(1) *Misrepresentations and false advertising of insurance policies.* Making, issuing, circulating or causing to be made, issued or circulated, any estimate, illustration, circular, statement, sales presentation, omission or comparison that:

(a) Misrepresents the benefits, advantages, conditions or terms of any insurance policy;

(b) misrepresents the dividends or share of the surplus to be received on any insurance policy;

(c) makes any false or misleading statements as to the dividends or share of surplus previously paid on any insurance policy;

(d) is misleading or is a misrepresentation as to the financial condition of any person, or as to the legal reserve system upon which any life insurer operates;

(e) uses any name or title of any insurance policy or class of insurance policies misrepresenting the true nature thereof;

(f) is a misrepresentation for the purpose of inducing or tending to induce the lapse, forfeiture, exchange, conversion or surrender of any insurance policy;

(g) is a misrepresentation for the purpose of effecting a pledge or assignment of or effecting a loan against any insurance policy; or

(h) misrepresents any insurance policy as being shares of stock.

(2) *False information and advertising generally.* Making, publishing, disseminating, circulating or placing before the public, or causing, directly or indirectly, to be made, published, disseminated, circulated or placed before the public, in a newspaper, magazine or other publication, or in the form of a notice, circular, pamphlet, letter or poster, or over any radio or television station, or in any other way, an advertisement, announcement or statement containing any assertion, misrepresentation or statement with respect to the business of insurance or with respect to any person in the conduct of such person's insurance business, that is untrue, deceptive or misleading.

(3) *Defamation.* Making, publishing, disseminating or circulating, directly or indirectly, or aiding, abetting or encouraging the making, publishing, disseminating or circulating of any oral or written statement or any pamphlet, circular, article or literature that is false, or maliciously critical of or derogatory to the financial condition of any person, and that is calculated to injure such person.

(4) *Boycott, coercion and intimidation.* Entering into any agreement to commit, or by any concerted action committing, any act of boycott, coercion or intimidation resulting in or tending to result in unreasonable restraint of the business of insurance, or by any act of boycott, coercion or intimidation monopolizing or attempting to monopolize any part of the business of insurance.

(5) *False statements and entries.* (a) Knowingly filing with any supervisory or other public official, or knowingly making, publishing, disseminating, circulating or delivering to any person, or placing before the public, or knowingly causing directly or indirectly, to be made, published, disseminated, circulated, delivered to any person, or placed before the public, any false material statement of fact as to the financial condition of a person.

(b) Knowingly making any false entry of a material fact in any book, report or statement of any person or knowingly omitting to make a true entry of any material fact pertaining to the business of such person in any book, report or statement of such person.

(6) *Stock operations and advisory board contracts.* Issuing or delivering or permitting agents, officers or employees to issue or deliver, agency company stock or other capital stock, or benefit certificates or shares in any common-law corporation, or securities or any special or advisory board contracts or other contracts of any kind promising returns and profits as an inducement to insurance. Nothing herein shall prohibit the acts permitted by K.S.A. 40-232, and amendments thereto.

(7) *Unfair discrimination.* (a) Making or permitting any unfair discrimination between individuals of the same class and equal expectation of life in the rates charged for any contract of life insurance or life annuity or in the dividends or other benefits payable thereon, or in any other of the terms and conditions of such contract.

(b) Making or permitting any unfair discrimination between individuals of the same class and of essentially the same hazard in the amount of premium, policy fees or rates charged for any policy or contract of accident or health insurance or in the benefits payable thereunder, or in any of the terms or conditions of such contract, or in any other manner whatever.

(c) Refusing to insure, or refusing to continue to insure, or limiting the amount, extent or kind of coverage available to an individual, or charging an individual a different rate for the same coverage solely because of blindness or partial blindness. With respect to all other conditions, including the underlying cause of the blindness or partial blindness, persons who are blind or partially blind shall be subject to the same standards of sound actuarial principles or actual or reasonably anticipated experience as are sighted persons. Refusal to insure includes denial by an insurer of disability insurance coverage on the grounds that the policy defines “disability” as being presumed in the event that the insured loses such person’s eyesight. However, an insurer may exclude from coverage disabilities consisting solely of blindness or partial blindness when such condition existed at the time the policy was issued.

(d) Refusing to insure, or refusing to continue to insure, or limiting the amount, extent or kind of coverage available for accident and health and life insurance to an applicant who is the proposed insured or charge a different rate for the same coverage or excluding or limiting coverage for losses or denying a claim incurred by an insured as a result of abuse based on the fact that the applicant who is the proposed insured is, has been, or may be the subject of domestic abuse, except as provided in subsection (7)(d)(v). “Abuse” as used in this paragraph means one or more acts defined in K.S.A. 60-3102, and amendments thereto, between family members, current or former household members, or current or former intimate partners.

(i) An insurer may not ask an applicant for life or accident and health insurance who is the proposed insured if the individual is, has been or

may be the subject of domestic abuse or seeks, has sought or had reason to seek medical or psychological treatment or counseling specifically for abuse, protection from abuse or shelter from abuse.

(ii) Nothing in this section shall be construed to prohibit a person from declining to issue an insurance policy insuring the life of an individual who is, has been or has the potential to be the subject of abuse if the perpetrator of the abuse is the applicant or would be the owner of the insurance policy.

(iii) No insurer that issues a life or accident and health policy to an individual who is, has been or may be the subject of domestic abuse shall be subject to civil or criminal liability for the death or any injuries suffered by that individual as a result of domestic abuse.

(iv) No person shall refuse to insure, refuse to continue to insure, limit the amount, extent or kind of coverage available to an individual or charge a different rate for the same coverage solely because of physical or mental condition, except where the refusal, limitation or rate differential is based on sound actuarial principles.

(v) Nothing in this section shall be construed to prohibit a person from underwriting or rating a risk on the basis of a preexisting physical or mental condition, even if such condition has been caused by abuse, provided that:

(A) The person routinely underwrites or rates such condition in the same manner with respect to an insured or an applicant who is not a victim of abuse;

(B) the fact that an individual is, has been or may be the subject of abuse may not be considered a physical or mental condition; and

(C) such underwriting or rating is not used to evade the intent of this section or any other provision of the Kansas insurance code.

(vi) Any person who underwrites or rates a risk on the basis of pre-existing physical or mental condition as set forth in subsection (7)(d)(v), shall treat such underwriting or rating as an adverse underwriting decision pursuant to K.S.A. 40-2,112, and amendments thereto.

(vii) The provisions of this paragraph shall apply to all policies of life and accident and health insurance issued in this state after the effective date of this act and all existing contracts that are renewed on or after the effective date of this act.

(e) Refusing to insure, or refusing to continue to insure, or limiting the amount, extent or kind of coverage available for life insurance to an individual, or charging an individual a different rate for the same coverage, solely because of such individual's status as a living organ donor. With respect to all other conditions, persons who are living organ donors shall be subject to the same standards of sound actuarial principles or actual or reasonably anticipated experience as are persons who are not organ donors.

(8) *Rebates.* (a) Except as otherwise expressly provided by law, knowingly permitting, offering to make or making any contract of life insurance, life annuity or accident and health insurance, or agreement as to such contract other than as plainly expressed in the insurance contract issued thereon; paying, allowing, giving or offering to pay, allow or give, directly or indirectly, as inducement to such insurance, or annuity, any rebate of premiums payable on the contract, any special favor or advantage in the dividends or other benefits thereon, or any valuable consideration or inducement whatever not specified in the contract; or giving, selling, purchasing or offering to give, sell or purchase as inducement to such insurance contract or annuity or in connection therewith, any stocks, bonds or other securities of any insurance company or other corporation, association or partnership, or any dividends or profits accrued thereon, or anything of value whatsoever not specified in the contract.

(b) Nothing in subsection (7) or (8)(a) shall be construed as including within the definition of discrimination or rebates any of the following practices:

(i) In the case of any contract of life insurance or life annuity, paying bonuses to policyholders or otherwise abating their premiums in whole or in part out of surplus accumulated from nonparticipating insurance. Any such bonuses or abatement of premiums shall be fair and equitable to policyholders and for the best interests of the company and its policyholders;

(ii) in the case of life insurance policies issued on the industrial debit plan, making allowance to policyholders who have continuously for a specified period made premium payments directly to an office of the insurer in an amount that fairly represents the saving in collection expenses; ~~or~~

(iii) readjustment of the rate of premium for a group insurance policy based on the loss or expense experience thereunder, at the end of the first or any subsequent policy year of insurance thereunder, which may be made retroactive only for such policy year;

(iv) *engaging in an arrangement that would not violate section 106 of the bank holding company act amendments of 1972, as interpreted by the board of governors of the federal reserve system or section 5(q) of the home owners' loan act;*

(v) *the offer or provision by insurers or producers, by or through employees, affiliates or third-party representatives, of value-added products or services at no or reduced cost when such products or services are not specified in the policy of insurance if the product or service:*

(A) *Relates to the insurance coverage; and*

(B) *is primarily designed to satisfy one or more of the following:*

(1) *Provide loss mitigation or loss control;*

(2) *reduce claim costs or claim settlement costs;*

(3) *provide education about liability risks or risk of loss to persons or property;*

(4) *monitor or assess risk, identify sources of risk or develop strategies for eliminating or reducing risk;*

(5) *enhance health;*

(6) *enhance financial wellness through items such as education or financial planning services;*

(7) *provide post-loss services;*

(8) (a) *incentivize behavioral changes to improve the health or reduce the risk of death or disability of a customer;*

(b) *as used in this section, “customer” means a policyholder, potential policyholder, certificate holder, potential certificate holder, insured, potential insured or applicant; or*

(9) *assist in the administration of the employee or retiree benefit insurance coverage.*

(C) *The cost to the insurer or producer offering the product or service to any given customer shall be reasonable in comparison to such customer’s premiums or insurance coverage for the policy class.*

(D) *If the insurer or producer is providing the product or service offered, the insurer or producer shall ensure that the customer is provided with contact information, upon request, to assist the customer with questions regarding the product or service.*

(E) *The commissioner may adopt rules and regulations when implementing the permitted practices set forth in this section to ensure consumer protection. Such rules and regulations, consistent with applicable law, may address, among other issues, consumer data protections and privacy, consumer disclosure and unfair discrimination.*

(F) *The availability of the value-added product or service shall be based on documented objective criteria and offered in a manner that is not unfairly discriminatory. The documented criteria shall be maintained by the insurer or producer and produced upon request by the commissioner.*

(G) *If an insurer or producer does not have sufficient evidence but has a good-faith belief that the product or service meets the criteria in subsection (8)(b)(v)(B), the insurer or producer may provide the product or service in a manner that is not unfairly discriminatory as part of a pilot or testing program for not more than one year. An insurer or producer shall notify the commissioner of such a pilot or testing program offered to consumers in this state prior to launching and may proceed with the program unless the commissioner objects within 21 days of notice.*

(vi) *An insurer or a producer may:*

(A) *Offer or give non-cash gifts, items or services, including meals to or charitable donations on behalf of a customer, in connection with the marketing, sale, purchase or retention of contracts of insurance, as long*

as the cost does not exceed an amount determined to be reasonable by the commissioner per policy year per term. The offer shall be made in a manner that is not unfairly discriminatory. The customer shall not be required to purchase, continue to purchase or renew a policy in exchange for the gift, item or service.

(B) Conduct raffles or drawings to the extent permitted by state law, as long as there is no financial cost to entrants to participate, the drawing or raffle does not obligate participants to purchase insurance, the prizes are not valued in excess of a reasonable amount determined by the commissioner and the drawing or raffle is open to the public. The raffle or drawing shall be offered in a manner that is not unfairly discriminatory. The customer shall not be required to purchase, continue to purchase or renew a policy in exchange for the gift, item or service.

(c) An insurer, producer or representative of an insurer or producer shall not offer or provide insurance as an inducement to the purchase of another policy.

(9) Unfair claim settlement practices. It is an unfair claim settlement practice if any of the following or any rules and regulations pertaining thereto are either committed flagrantly and in conscious disregard of such provisions, or committed with such frequency as to indicate a general business practice:

(a) Misrepresenting pertinent facts or insurance policy provisions relating to coverages at issue;

(b) failing to acknowledge and act reasonably promptly upon communications with respect to claims arising under insurance policies;

(c) failing to adopt and implement reasonable standards for the prompt investigation of claims arising under insurance policies;

(d) refusing to pay claims without conducting a reasonable investigation based upon all available information;

(e) failing to affirm or deny coverage of claims within a reasonable time after proof of loss statements have been completed;

(f) not attempting in good faith to effectuate prompt, fair and equitable settlements of claims in which liability has become reasonably clear;

(g) compelling insureds to institute litigation to recover amounts due under an insurance policy by offering substantially less than the amounts ultimately recovered in actions brought by such insureds;

(h) attempting to settle a claim for less than the amount to which a reasonable person would have believed that such person was entitled by reference to written or printed advertising material accompanying or made part of an application;

(i) attempting to settle claims on the basis of an application that was altered without notice to, or knowledge or consent of the insured;

(j) making claims payments to insureds or beneficiaries not accompanied by a statement setting forth the coverage under which payments are being made;

(k) making known to insureds or claimants a policy of appealing from arbitration awards in favor of insureds or claimants for the purpose of compelling them to accept settlements or compromises less than the amount awarded in arbitration;

(l) delaying the investigation or payment of claims by requiring an insured, claimant or the physician of either to submit a preliminary claim report and then requiring the subsequent submission of formal proof of loss forms, both of which submissions contain substantially the same information;

(m) failing to promptly settle claims, where liability has become reasonably clear, under one portion of the insurance policy coverage in order to influence settlements under other portions of the insurance policy coverage; or

(n) failing to promptly provide a reasonable explanation of the basis in the insurance policy in relation to the facts or applicable law for denial of a claim or for the offer of a compromise settlement.

(10) *Failure to maintain complaint handling procedures.* Failure of any person, who is an insurer on an insurance policy, to maintain a complete record of all the complaints that it has received since the date of its last examination under K.S.A. 40-222, and amendments thereto; but no such records shall be required for complaints received prior to the effective date of this act. The record shall indicate the total number of complaints, their classification by line of insurance, the nature of each complaint, the disposition of the complaints, the date each complaint was originally received by the insurer and the date of final disposition of each complaint. For purposes of this subsection, “complaint” means any written communication primarily expressing a grievance related to the acts and practices set out in this section.

(11) *Misrepresentation in insurance applications.* Making false or fraudulent statements or representations on or relative to an application for an insurance policy, for the purpose of obtaining a fee, commission, money or other benefit from any insurer, agent, broker or individual.

(12) *Statutory violations.* Any violation of any of the provisions of K.S.A. 40-216, 40-276a, 40-2,155 or 40-1515, and amendments thereto.

(13) *Disclosure of information relating to adverse underwriting decisions and refund of premiums.* Failing to comply with the provisions of K.S.A. 40-2,112, and amendments thereto, within the time prescribed in such section.

(14) *Rebates and other inducements in title insurance.* (a) No title insurance company or title insurance agent, or any officer, employee, at-

torney, agent or solicitor thereof, may pay, allow or give, or offer to pay, allow or give, directly or indirectly, as an inducement to obtaining any title insurance business, any rebate, reduction or abatement of any rate or charge made incident to the issuance of such insurance, any special favor or advantage not generally available to others of the same classification, or any money, thing of value or other consideration or material inducement. The words “charge made incident to the issuance of such insurance” includes, without limitations, escrow, settlement and closing charges.

(b) No insured named in a title insurance policy or contract nor any other person directly or indirectly connected with the transaction involving the issuance of the policy or contract, including, but not limited to, mortgage lender, real estate broker, builder, attorney or any officer, employee, agent representative or solicitor thereof, or any other person may knowingly receive or accept, directly or indirectly, any rebate, reduction or abatement of any charge, or any special favor or advantage or any monetary consideration or inducement referred to in subsection (14)(a).

(c) Nothing in this section shall be construed as prohibiting:

(i) The payment of reasonable fees for services actually rendered to a title insurance agent in connection with a title insurance transaction;

(ii) the payment of an earned commission to a duly appointed title insurance agent for services actually performed in the issuance of the policy of title insurance; or

(iii) the payment of reasonable entertainment and advertising expenses.

(d) Nothing in this section prohibits the division of rates and charges between or among a title insurance company and its agent, or one or more title insurance companies and one or more title insurance agents, if such division of rates and charges does not constitute an unlawful rebate under the provisions of this section and is not in payment of a forwarding fee or a finder's fee.

(e) As used in subsections (14)(e) through (14)(i), unless the context otherwise requires:

(i) “Associate” means any firm, association, organization, partnership, business trust, corporation or other legal entity organized for profit in which a producer of title business is a director, officer or partner thereof, or owner of a financial interest; the spouse or any relative within the second degree by blood or marriage of a producer of title business who is a natural person; any director, officer or employee of a producer of title business or associate; any legal entity that controls, is controlled by, or is under common control with a producer of title business or associate; and any natural person or legal entity with whom a producer of title business or associate has any agreement, arrangement or understanding or pursues any course of conduct, the purpose or effect of which is to evade the provisions of this section.

(ii) “Financial interest” means any direct or indirect interest, legal or beneficial, where the holder thereof is or will be entitled to 1% or more of the net profits or net worth of the entity in which such interest is held. Notwithstanding the foregoing, an interest of less than 1% or any other type of interest shall constitute a “financial interest” if the primary purpose of the acquisition or retention of that interest is the financial benefit to be obtained as a consequence of that interest from the referral of title business.

(iii) “Person” means any natural person, partnership, association, cooperative, corporation, trust or other legal entity.

(iv) “Producer of title business” or “producer” means any person, including any officer, director or owner of 5% or more of the equity or capital or both of any person, engaged in this state in the trade, business, occupation or profession of:

- (A) Buying or selling interests in real property;
- (B) making loans secured by interests in real property; or
- (C) acting as broker, agent, representative or attorney for a person who buys or sells any interest in real property or who lends or borrows money with such interest as security.

(v) “Refer” means to direct or cause to be directed or to exercise any power or influence over the direction of title insurance business, whether or not the consent or approval of any other person is sought or obtained with respect to the referral.

(f) No title insurer or title agent may accept any order for, issue a title insurance policy to, or provide services to, an applicant if it knows or has reason to believe that the applicant was referred to it by any producer of title business or by any associate of such producer, where the producer, the associate, or both, have a financial interest in the title insurer or title agent to which business is referred unless the producer has disclosed to the buyer, seller and lender the financial interest of the producer of title business or associate referring the title insurance business.

(g) No title insurer or title agent may accept an order for title insurance business, issue a title insurance policy, or receive or retain any premium, or charge in connection with any transaction if: (i) The title insurer or title agent knows or has reason to believe that the transaction will constitute controlled business for that title insurer or title agent; and (ii) 70% or more of the closed title orders of that title insurer or title agent during the 12 full calendar months immediately preceding the month in which the transaction takes place is derived from controlled business. The prohibitions contained in this paragraph shall not apply to transactions involving real estate located in a county that has a population, as shown by the last preceding decennial census, of 10,000 or less.

(h) Within 90 days following the end of each business year, as established by the title insurer or title agent, each title insurer or title agent

shall file with the department of insurance and any title insurer with which the title agent maintains an underwriting agreement, a report executed by the title insurer's or title agent's chief executive officer or designee, under penalty of perjury, stating the percent of closed title orders originating from controlled business. The failure of a title insurer or title agent to comply with the requirements of this section, at the discretion of the commissioner, shall be grounds for the suspension or revocation of a license or other disciplinary action, with the commissioner able to mitigate any such disciplinary action if the title insurer or title agent is found to be in substantial compliance with competitive behavior as defined by federal housing and urban development statement of policy 1996-2.

(i) (1) No title insurer or title agent may accept any title insurance order or issue a title insurance policy to any person if it knows or has reason to believe that such person was referred to it by any producer of title business or by any associate of such producer, where the producer, the associate, or both, have a financial interest in the title insurer or title agent to which business is referred unless the producer has disclosed in writing to the person so referred the fact that such producer or associate has a financial interest in the title insurer or title agent, the nature of the financial interest and a written estimate of the charge or range of charges generally made by the title insurer or agent for the title services. Such disclosure shall include language stating that the consumer is not obligated to use the title insurer or agent in which the referring producer or associate has a financial interest and shall include the names and telephone numbers of not less than three other title insurers or agents that operate in the county in which the property is located. If fewer than three insurers or agents operate in that county, the disclosure shall include all title insurers or agents operating in that county. Such written disclosure shall be signed by the person so referred and must have occurred prior to any commitment having been made to such title insurer or agent.

(2) No producer of title business or associate of such producer shall require, directly or indirectly, as a condition to selling or furnishing any other person any loan or extension thereof, credit, sale, property, contract, lease or service, that such other person shall purchase title insurance of any kind through any title agent or title insurer if such producer has a financial interest in such title agent or title insurer.

(3) No title insurer or title agent may accept any title insurance order or issue a title insurance policy to any person it knows or has reason to believe that the name of the title company was pre-printed in the sales contract, prior to the buyer or seller selecting that title company.

(4) Nothing in this paragraph shall prohibit any producer of title business or associate of such producer from referring title business to any title insurer or title agent of such producer's or associate's choice, and, if

such producer or associate of such producer has any financial interest in the title insurer, from receiving income, profits or dividends produced or realized from such financial interest, so long as:

(a) Such financial interest is disclosed to the purchaser of the title insurance in accordance with paragraphs (i)(1) through (i)(4);

(b) the payment of income, profits or dividends is not in exchange for the referral of business; and

(c) the receipt of income, profits or dividends constitutes only a return on the investment of the producer or associate.

(5) Any producer of title business or associate of such producer who violates the provisions of paragraphs (i)(2) through (i)(4), or any title insurer or title agent who accepts an order for title insurance knowing that it is in violation of paragraphs (i)(2) through (i)(4), in addition to any other action that may be taken by the commissioner of insurance, shall be subject to a fine by the commissioner in an amount equal to five times the premium for the title insurance and, if licensed pursuant to K.S.A. 58-3034 et seq., and amendments thereto, shall be deemed to have committed a prohibited act pursuant to K.S.A. 58-3602, and amendments thereto, and shall be liable to the purchaser of such title insurance in an amount equal to the premium for the title insurance.

(6) Any title insurer or title agent that is a competitor of any title insurer or title agent that, subsequent to the effective date of this act, has violated or is violating the provisions of this paragraph, shall have a cause of action against such title insurer or title agent and, upon establishing the existence of a violation of any such provision, shall be entitled, in addition to any other damages or remedies provided by law, to such equitable or injunctive relief as the court deems proper. In any such action under this subsection, the court may award to the successful party the court costs of the action together with reasonable attorney fees.

(7) The commissioner shall also require each title agent to provide core title services as required by the real estate settlement procedures act.

(j) The commissioner shall adopt any *rules and* regulations necessary to carry out the provisions of this act.

(15) *Disclosure of nonpublic personal information.* (a) No person shall disclose any nonpublic personal information contrary to the provisions of title V of the Gramm-Leach-Bliley act of 1999 (public law 106-102). The commissioner may adopt rules and regulations necessary to carry out this subsection. Such rules and regulations shall be consistent with and not more restrictive than the model regulation adopted on September 26, 2000, by the national association of insurance commissioners entitled "Privacy of consumer financial and health information regulation".

(b) Nothing in this subsection shall be deemed or construed to authorize the promulgation or adoption of any regulation that preempts,

supersedes or is inconsistent with any provision of Kansas law concerning requirements for notification of, or obtaining consent from, a parent, guardian or other legal custodian of a minor relating to any matter pertaining to the health and medical treatment for such minor.

Sec. 3. K.S.A. 40-4909 is hereby amended to read as follows: 40-4909.

(a) The commissioner may deny, suspend, revoke or refuse renewal of any license issued under this act if the commissioner finds that the applicant or license holder has:

(1) Provided incorrect, misleading, incomplete or untrue information in the license application.

(2) Violated:

(A) Any provision of chapter 40 of the Kansas Statutes Annotated, and amendments thereto, or any rules and regulations promulgated thereunder;

(B) any subpoena or order of the commissioner;

(C) any insurance law or regulation of another state; or

(D) any subpoena or order issued by the regulatory official for insurance in another state.

(3) Obtained or attempted to obtain a license under this act through misrepresentation or fraud.

(4) Improperly withheld, misappropriated or converted any moneys or properties received in the course of doing insurance business.

(5) Intentionally misrepresented the provisions, terms and conditions of an actual or proposed insurance contract or application for insurance.

(6) Been convicted of a misdemeanor or felony.

(7) Admitted to or been found to have committed any insurance unfair trade practice or fraud in violation of K.S.A. 40-2404, and amendments thereto.

(8) Used any fraudulent, coercive, or dishonest practice, or demonstrated any incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere.

(9) Had an insurance agent license, or its equivalent, denied, suspended or revoked in any state, district or territory.

(10) Forged another person's name to an application for insurance or to any document related to an insurance transaction.

(11) Improperly used notes or any other reference material to complete an examination for an insurance license issued under this act.

(12) Knowingly accepted insurance business from an individual who is not licensed.

(13) Failed to comply with any administrative or court order imposing a child support obligation upon the applicant or license holder.

(14) Failed to pay any state income tax or comply with any administrative or court order directing payment of state income tax.

(15) *Except as otherwise permitted by law*, rebated the whole or any part of any insurance premium or offered in connection with the presentation of any contract of insurance any other inducement not contained in the contract of insurance.

(16) Made any misleading representation or incomplete comparison of policies to any person for the purposes of inducing or tending to induce such person to lapse, forfeit or surrender such person's insurance then in force.

(17) Failed to respond to an inquiry from the commissioner within 15 business days.

(b) In addition, the commissioner may deny, suspend, revoke or refuse renewal of any license issued under this act if the commissioner finds that the interests of the insurer or the insurable interests of the public are not properly served under such license.

(c) (1) When considering whether to deny, suspend, revoke or refuse to renew the application of an individual who has been convicted of a misdemeanor or felony, the commissioner shall consider the:

- (A) Applicant's age at the time of the conduct;
- (B) recency of the conduct;
- (C) reliability of the information concerning the conduct;
- (D) seriousness of the conduct;
- (E) factors underlying the conduct;
- (F) cumulative effect of the conduct or information;
- (G) evidence of rehabilitation;
- (H) applicant's social contributions since the conduct;
- (I) applicant's candor in the application process; and
- (J) materiality of any omissions or misrepresentations.

(2) In determining whether to reinstate or grant to an applicant a license that has been revoked, the commissioner shall consider the:

- (A) Present moral fitness of the applicant;
- (B) demonstrated consciousness by the applicant of the wrongful conduct and disrepute that the conduct has brought to the insurance profession;
- (C) extent of the applicant's rehabilitation;
- (D) seriousness of the original conduct;
- (E) applicant's conduct subsequent to discipline;
- (F) amount of time that has elapsed since the original discipline;
- (G) applicant's character, maturity and experience at the time of revocation; and

(H) applicant's present competence and skills in the insurance industry.

(d) Any action taken under this section that affects any license or imposes any administrative penalty shall be taken only after notice and an opportunity for a hearing conducted in accordance with the provisions of the Kansas administrative ~~procedures~~ *procedure* act.

(e) The license of any business entity may be suspended, revoked or refused renewal if the insurance commissioner finds that any violation committed by an individual licensee employed by or acting on behalf of such business entity was known by or should have been known by one or more of the partners, officers or managers acting on behalf of the business entity and:

(1) Such violation was not reported to the insurance commissioner by such business entity; or

(2) such business entity failed to take any corrective action.

(f) None of the following actions shall deprive the commissioner of any jurisdiction or right to institute or proceed with any disciplinary proceeding against such license, to render a decision suspending, revoking or refusing to renew such license, or to establish and make a record of the facts of any violation of law for any lawful purpose:

(1) The imposition of an administrative penalty under this section;

(2) the lapse or suspension of any license issued under this act by operation of law;

(3) the licensee's failure to renew any license issued under this act; or

(4) the licensee's voluntary surrender of any license issued under this act. No such disciplinary proceeding shall be instituted against any licensee after the expiration of two years from the termination of the license.

(g) Whenever the commissioner imposes any administrative penalty or denies, suspends, revokes or refuses renewal of any license pursuant to subsection (a), any costs incurred as a result of conducting an administrative hearing authorized under the provisions of this section shall be assessed against the person who is the subject of the hearing or any business entity represented by such person who is the party to the matters giving rise to the hearing. As used in this subsection, "costs" shall include witness fees, mileage allowances, any costs associated with the reproduction of documents that become a part of the hearing record and the expense of making a record of the hearing.

(h) No person whose license as an agent or broker had been suspended or revoked shall be employed by any insurance company doing business in this state either directly, indirectly, as an independent contractor or otherwise to negotiate or effect contracts of insurance, suretyship or indemnity or perform any act toward the solicitation of or transaction of any business of insurance during the period of such suspension or revocation.

(i) In lieu of taking any action under subsection (a), the commissioner may:

(1) Censure the person; or

(2) issue an order imposing an administrative penalty up to a maximum of \$500 for each violation but not to exceed \$2,500 for the same violation occurring within any six consecutive calendar months from the

date of the original violation unless such person knew or should have known that the violative act could give rise to disciplinary action under subsection (a). If such person knew or reasonably should have known the violative act could give rise to any disciplinary proceeding authorized by subsection (a), the commissioner may impose a penalty up to a maximum of \$1,000 for each violation but not to exceed \$5,000 for the same violation occurring within any six consecutive calendar months from the date of the imposition of the original administrative penalty.

(j) (1) An applicant to whom a license has been denied after a hearing shall not apply for a license again until after the expiration of a period of one year from the date of the commissioner's order.

(2) A licensee whose license was revoked shall not apply for a license again until after the expiration of a period of two years from the date of the commissioner's order.

Sec. 4. K.S.A. 40-966, 40-2404 and 40-4909 are hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 1, 2022.

CHAPTER 22

SENATE BILL No. 483
(Amended by Chapter 88)

AN ACT concerning crimes, punishment and criminal procedure; relating to theft and criminal damage to property; increasing penalties for such crimes involving remote service units such as automated cash dispensing machines and automated teller machines; amending K.S.A. 2021 Supp. 21-5801 and 21-5813 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2021 Supp. 21-5801 is hereby amended to read as follows: 21-5801. (a) Theft is any of the following acts done with intent to permanently deprive the owner of the possession, use or benefit of the owner's property or services:

(1) Obtaining or exerting unauthorized control over property or services;

(2) obtaining control over property or services, by deception;

(3) obtaining control over property or services, by threat;

(4) obtaining control over stolen property or services knowing the property or services to have been stolen by another; or

(5) knowingly dispensing motor fuel into a storage container or the fuel tank of a motor vehicle at an establishment in which motor fuel is offered for retail sale and leaving the premises of the establishment without making payment for the motor fuel.

(b) Theft of:

(1) Property or services of the value of \$100,000 or more is a severity level 5, nonperson felony;

(2) property or services of the value of at least \$25,000 but less than \$100,000 is a severity level 7, nonperson felony;

(3) property or services of the value of at least \$1,500 but less than \$25,000 is a severity level 9, nonperson felony, except as provided in subsection (b)(7);

(4) property or services of the value of less than \$1,500 is a class A nonperson misdemeanor, except as provided in subsection (b)(5), (b)(6) or (b)(7);

(5) property of the value of less than \$1,500 from three separate mercantile establishments within a period of 72 hours as part of the same act or transaction or in two or more acts or transactions connected together or constituting parts of a common scheme or course of conduct is a severity level 9, nonperson felony;

(6) property of the value of at least \$50 but less than \$1,500 is a severity level 9, nonperson felony if committed by a person who has, within five years immediately preceding commission of the crime, excluding any period of imprisonment, been convicted of theft two or more times; and

(7) property which is a firearm of the value of less than \$25,000 is a severity level 9, nonperson felony.

(c) As used in this section:

(1) “Conviction” or “convicted” includes being convicted of a violation of K.S.A. 21-3701, prior to its repeal, this section or a municipal ordinance which prohibits the acts that this section prohibits;

(2) “regulated scrap metal” means the same as *defined* in K.S.A. 2021 Supp. 50-6,109, and amendments thereto; ~~and~~

(3) “remote service unit” *means the same as defined in K.S.A. 9-1111, and amendments thereto, and includes, but is not limited to, automated cash dispensing machines and automated teller machines; and*

(4) “value” means the value of the property or, if the property is regulated scrap metal *or a remote service unit*, the cost to restore the site of the theft of such regulated scrap metal *or remote service unit* to its condition at the time immediately prior to the theft of such regulated scrap metal *or remote service unit*, whichever is greater.

Sec. 2. K.S.A. 2021 Supp. 21-5813 is hereby amended to read as follows: 21-5813. (a) Criminal damage to property is by means other than by fire or explosive:

(1) Knowingly damaging, destroying, defacing or substantially impairing the use of any property in which another has an interest without the consent of such other person; or

(2) damaging, destroying, defacing or substantially impairing the use of any property with intent to injure or defraud an insurer or lienholder.

(b) Aggravated criminal damage to property is criminal damage to property, as defined in subsection (a)(1), if the value or amount of damage exceeds \$5,000, committed with the intent to obtain:

(1) *Currency upon a remote service unit as defined in K.S.A. 9-1111, and amendments thereto, including, but not limited to, any automated cash dispensing machine or automated teller machine; or*

(2) any regulated scrap metal as defined in K.S.A. 2021 Supp. 50-6,109, and amendments thereto, or any items listed in K.S.A. 2021 Supp. 50-6,111(d), and amendments thereto, upon:

~~(1)(A)~~ Any building, structure, personal property or place used primarily for worship or any religious purpose;

~~(2)(B)~~ any building, structure or place used as a school or as an educational facility;

~~(3)(C)~~ any building, structure or place used by a non-profit or charitable business, corporation, firm, service or association;

~~(4)(D)~~ any grave, cemetery, mortuary or personal property of the cemetery or mortuary or other facility used for the purpose of burial or memorializing the dead;

~~(5)(E)~~ any agricultural property or agricultural infrastructure;

- ~~(6)(F)~~ any construction, mining or recycling facility, structure or site;
- ~~(7)(G)~~ any utility, utility service, telecommunication, telecommunication service, cable or video service facility, property, building, structure, site or component thereof;
- ~~(8)(H)~~ any municipal, county or state building, structure, site or property;
- ~~(9)(I)~~ any residential, commercial, industrial or agricultural irrigation, sprinkler or watering system or component thereof;
- ~~(10)(J)~~ the infrastructure of any residence, building or structure;
- ~~(11)(K)~~ any historical marker, plaque or work of art;
- ~~(12)(L)~~ any vehicle or transportation building, facility, structure, site or property; or
- ~~(13)(M)~~ any other building, structure, residence, facility, site, place, property, vehicle or any infrastructure thereof.
- (c) Criminal damage to property if the property:
 - (1) Is damaged to the extent of \$25,000 or more is a severity level 7, nonperson felony;
 - (2) is damaged to the extent of at least \$1,000 but less than \$25,000 is a severity level 9, nonperson felony; and
 - (3) damaged is of the value of less than \$1,000 or is of the value of \$1,000 or more and is damaged to the extent of less than \$1,000 is a class B nonperson misdemeanor.
- (d) Aggravated criminal damage to property is a severity level 6, nonperson felony.
- (e) (1) As used in subsection (b):
 - (A) “Infrastructure” includes any fixture to, attachment upon or part of a residence, building or structure’s framework, electrical wiring and appurtenances, plumbing or heating and air systems; and
 - (B) “site” includes any area, place or location set aside for specific use or uses, including, but not limited to, storage, staging, repair, sorting, transportation, planning or organization.
- (2) Any of the items or locations listed in subsection (b) shall include the curtilage, adjoining land and any improvements thereupon.
- (3) Nothing in subsection (b) shall be construed to require the:
 - (A) Construction or existence of any door, gate, fence, barrier or wall; or
 - (B) existence of notice, postings or signs to potential trespassers.
- (f) In determining the amount of damage to property, damages may include the cost of repair or replacement of the property that was damaged, the reasonable cost of the loss of production, crops and livestock, reasonable labor costs of any kind, reasonable material costs of any kind and any reasonable costs that are attributed to equipment that is used to abate or repair the damage to the property.

Sec. 3. K.S.A. 2021 Supp. 21-5801 and 21-5813 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 1, 2022.

CHAPTER 23

SENATE BILL No. 367

AN ACT concerning crimes, punishment and criminal procedure; relating to property seized by law enforcement; requiring officers to file copies of receipts with the court when property is seized under a search warrant; providing requirements and procedures for destruction or disposition of dangerous drugs and return or disposition of weapons; amending K.S.A. 2021 Supp. 22-2512 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2021 Supp. 22-2512 is hereby amended to read as follows: 22-2512. (a) Property seized under a search warrant or validly seized without a warrant shall be safely kept by the ~~officer~~ agency seizing the ~~same~~ property unless otherwise directed by the magistrate, and shall be so kept as long as necessary for the purpose of being produced as evidence on any trial. *If no criminal charges are filed or prosecution is declined, the property shall be returned to its rightful owner or disposed of in accordance with this section.* The property seized may not be taken from the ~~officer~~ agency having it in custody so long as it is or may be required as evidence in any trial. The officer seizing the property shall give a receipt to the person detained or arrested particularly describing each article of property being held ~~and~~. *When property is seized under a search warrant, the officer seizing the property shall file a copy of such receipt with the magistrate before whom the person detained or arrested is taken who issued the search warrant. Such copy may be filed electronically in a manner and form prescribed by the court.* ~~Where~~ When seized property is no longer required as evidence in the prosecution of any indictment or information, the court ~~which~~ that has jurisdiction of such property may transfer the ~~same~~ property to the jurisdiction of any other court, including courts of another state or federal courts, ~~where~~ if it is shown to the satisfaction of the court that such property is required as evidence in any prosecution in such other court.

(b) (1) Notwithstanding the provisions of subsection (a) and with the approval of the affected court, any law enforcement officer who seizes *dangerous drugs* or hazardous materials as evidence related to a criminal investigation may collect representative samples of such *dangerous drugs* or hazardous materials, and lawfully destroy or dispose of, or direct another person to lawfully destroy or dispose of, the remaining quantity of such *dangerous drugs* or hazardous materials.

(2) In any prosecution, representative samples of *dangerous drugs* or hazardous materials accompanied by photographs, videotapes, laboratory analysis reports or other means used to verify and document the identity and quantity of the ~~material~~ *drugs* or materials shall be deemed competent evidence of such ~~hazardous~~ *drugs* or materials and shall be admissi-

ble in any proceeding, hearing or trial as if such *drugs* or materials had been introduced as evidence.

(3) As used in this section, ~~the term~~:

(A) *“Dangerous drugs” means any drug, substance or immediate precursor included in any of the schedules designated in K.S.A. 65-4105, 65-4107, 65-4109 and 65-4111, and amendments thereto;*

(B) *“hazardous materials” means any substance ~~which~~ that is capable of posing an unreasonable risk to health, safety and property. It shall include any substance ~~which~~ that by its nature is explosive, flammable, corrosive, poisonous, radioactive, a biological hazard or a material ~~which~~ that may cause spontaneous combustion. It shall include, but not be limited to, substances listed in the table of hazardous materials contained in the code of federal regulations title 49 and national fire protection association’s fire protection guide on hazardous materials; and*

(C) *“representative sample” means an amount large enough to contain a testable amount of a substance without destroying the sample completely.*

(4) The provisions of this subsection shall not apply to ammunition and components thereof.

(c) When ~~property~~ seized *property* is no longer required as evidence, it shall be disposed of as follows:

(1) Property stolen, embezzled, obtained by false pretenses, or otherwise obtained unlawfully from the rightful owner thereof shall be restored to the owner;

(2) money shall be restored to the owner unless it was contained in a slot machine or otherwise used in unlawful gambling or lotteries, in which case it shall be forfeited; and shall be paid to the state treasurer pursuant to K.S.A. 20-2801, and amendments thereto;

(3) property ~~which~~ that is unclaimed or the ownership of which is unknown shall be sold at public auction to be held by the sheriff, *or the sheriff’s designee*, and the proceeds, less the cost of sale and any storage charges incurred in preserving it, shall be paid to the state treasurer pursuant to K.S.A. 20-2801, and amendments thereto;

(4) articles of contraband shall be destroyed, except that any such articles the disposition of which is otherwise provided by law shall be dealt with as so provided and any such articles the disposition of which is not otherwise provided by law and which may be capable of innocent use may in the discretion of the court be sold and the proceeds disposed of as provided in subsection (c)(3);

(5) explosives, bombs and like devices, ~~which~~ that have been used in the commission of crime; may be returned to the rightful owner; or, in the discretion of the court having jurisdiction of the property, destroyed or forfeited to the Kansas bureau of investigation;

(6) (A) except as provided in subsections (c)(6)(B) and (d), any weapon or ammunition, in the discretion of the court having jurisdiction of the property, shall be:

(i) Forfeited to the law enforcement agency seizing the weapon for use within such agency, for sale to a properly licensed federal firearms dealer, for trading to a properly licensed federal firearms dealer for other new or used firearms or accessories for use within such agency or for trading to another law enforcement agency for that agency's use;

(ii) forfeited to the Kansas bureau of investigation for law enforcement, testing or comparison by the Kansas bureau of investigation forensic laboratory;

(iii) forfeited to a county regional forensic science center, or other county forensic laboratory for testing, comparison or other forensic science purposes; or

(iv) forfeited to the Kansas department of wildlife, *and* parks ~~and tourism~~ for use pursuant to the conditions set forth in K.S.A. 32-1047, and amendments thereto.

(B) Except as provided in subsection (d), any weapon ~~which~~ *that* cannot be forfeited pursuant to subsection (c)(6)(A) due to the condition of the weapon, and any weapon ~~which~~ *that* was used in the commission of a felony as described in K.S.A. 2021 Supp. 21-5401, 21-5402, 21-5403, 21-5404 or 21-5405, and amendments thereto, shall be destroyed.

(7) controlled substances forfeited for violations of K.S.A. 2021 Supp. 21-5701 through 21-5717, and amendments thereto, shall be dealt with as provided under K.S.A. 60-4101 through 60-4126, and amendments thereto;

(8) unless otherwise provided by law, all other property shall be disposed of in such manner as the court in its sound discretion shall direct.

(d) (1) If a weapon is seized from an individual and the individual is not convicted of ~~or adjudicated as a juvenile offender for~~ the violation for which the weapon was seized, then within 30 days after the declination or conclusion of prosecution of the case against the individual, including any period of appeal, the law enforcement agency that seized the weapon shall verify ~~that whether~~ the weapon is not stolen, ~~and upon such verification shall notify the person from whom it was seized that the weapon may be retrieved.~~ *If the weapon is stolen or was seized from an individual whom the agency knows is not the owner of the weapon, the law enforcement agency shall notify the owner of the weapon that such weapon may be retrieved. If the weapon was seized from a juvenile, the agency shall notify the parent or legal guardian of the juvenile that such weapon may be retrieved by the parent or legal guardian. If the agency determines there is no other more appropriate person described in this paragraph to retrieve the weapon, the agency shall notify the person from whom the*

weapon was seized that such weapon may be retrieved. Such notification shall include the location where such weapon may be retrieved.

(2) If the law enforcement agency determines that the individual authorized to retrieve a weapon pursuant to paragraph (1) is prohibited by state or federal law from possessing the seized weapon, the agency shall notify the individual that the weapon will not be returned due to the disqualifying law, which shall be described in the notice. The law enforcement agency shall not dispose of such weapon for 60 days after the notice was given to provide a period for the individual to bring an action in an appropriate court challenging the agency's determination. The law enforcement agency may dispose of the weapon as provided by law 60 days after the notice described in paragraph (1) is given unless otherwise directed by the court. An owner of a weapon who is prohibited by law from possessing the weapon may either: (A) Request the law enforcement agency to transfer the weapon to a properly licensed federal firearms dealer designated by the owner; or (B) bring an action in an appropriate court to request a court order to transfer the weapon as allowed by law.

(e) If weapons are sold as authorized by subsection (c)(6)(A), the proceeds of the sale shall be credited to the asset seizure and forfeiture fund of the seizing agency.

(f) For purposes of this section, the term "weapon" means a weapon described in K.S.A. 2021 Supp. 21-6301, and amendments thereto.

Sec. 2. K.S.A. 2021 Supp. 22-2512 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 1, 2022.

CHAPTER 24

Substitute for SENATE BILL No. 450

AN ACT concerning state property; relating to the sale of surplus real property; eliminating the crediting of 80% of the proceeds from such sale to the Kansas public employees retirement fund; authorizing state educational institutions to sell and convey real property given to a state educational institution as an endowment, bequest or gift; authorizing the state board of regents to adopt policies relating to such sale and conveyance; amending K.S.A. 75-6609 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. (a) Upon specific authorization of the state board of regents and in accordance with policies adopted pursuant to this section, a state educational institution may sell and convey real property given as an endowment, bequest or gift to such institution.

(b) The state board of regents shall adopt policies governing the procedures and conditions under which state educational institutions may sell and convey real property given as an endowment, bequest or gift to such institution. Such policies shall include the disposition of the proceeds of such sale and conveyance.

(c) The state board of regents shall submit to the legislature at each regular session a report listing any such real property transfers that occurred during the previous fiscal year pursuant to this section.

(d) Any sale and conveyance authorized pursuant to this section shall not be subject to the provisions of K.S.A. 75-6609, and amendments thereto.

(e) As used in this section, “state educational institution” means the same as defined in K.S.A. 76-711, and amendments thereto.

Sec. 2. K.S.A. 75-6609 is hereby amended to read as follows: 75-6609.

(a) When used in this section, “surplus real estate” means real estate ~~which~~ *that* is no longer needed by the state agency ~~which~~ *that* owns such real estate as determined in accordance with this section.

(b) (1) The secretary of administration shall develop criteria for the identification of surplus real estate, including, but not limited to, a review of any legal restrictions associated with the real estate and the reasons for the state agency to keep the real estate. In accordance with such criteria, the secretary shall assist state agencies in the identification of surplus real estate. The secretary of administration shall periodically review the status of all real estate of state agencies subject to this section to determine if any of the real estate owned by state agencies is potentially surplus real estate. If any real estate owned by a state agency is determined by the secretary of administration, in consultation with the head of the state agency, to be surplus real estate in accordance with the criteria developed under subsection (a), then the secretary of administration shall recom-

mend to the governor that such real estate be sold under the procedures prescribed by this section.

(2) The secretary of administration shall develop guidelines for the sale of surplus real estate. In accordance with such guidelines and upon the approval of the governor, after consultation with the head of the state agency ~~which~~ *that* owns such surplus real estate, after consultation with the joint committee on state building construction and after approval by the state finance council under subsection (c), the secretary may offer such property for sale by one of the following means: (A) Public auction; (B) by listing the surplus property with a licensed real estate broker or salesperson; or (C) by sealed bid. Subject to the approval of the state finance council as required by subsection (c), the secretary of administration may sell surplus real estate and any improvements thereon on behalf of the state agency ~~which~~ *that* owns such property.

(c) Prior to the sale of any surplus real estate under subsection (b), the state finance council shall approve the sale, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed ~~in subsection (c) of K.S.A. 75-3711~~ *75-3711(c)*, and amendments thereto. The matter may be submitted to the state finance council for approval at any time, including periods of time during which the legislature is in session.

(d) Prior to offering any real estate for sale, such property shall be appraised pursuant to K.S.A. 75-3043a, and amendments thereto, unless the appraisal is waived as provided in this subsection. The secretary of administration may waive the requirement for appraisal for any parcel of surplus real estate that is to be sold at public auction under this section if the secretary of administration determines that it is in the best interests of the state to waive the requirement for appraisal for such parcel of surplus real estate. The costs of any such appraisal may be paid from the proceeds of the sale.

(e) Conveyance of title in surplus real estate offered for sale by the secretary of administration shall be executed on behalf of the state agency by the secretary of administration. The deed for the conveyance may be by warranty deed or by quitclaim deed as determined to be in the best interests of the state by the secretary of administration in consultation with the head of the state agency ~~which~~ *that* owns the surplus real estate.

(f) (1) Any proceeds from the sale of surplus real estate and any improvements thereon, after deduction of the expenses of such sale and any cost of appraisal of the surplus real estate, shall be deposited in the state treasury as prescribed by this subsection, unless otherwise authorized by law. On and after July 1, ~~2012, 20%~~ *of 2022*, the proceeds from each such sale deposited in the state treasury shall be credited to the surplus real estate fund or another appropriate special revenue fund of the state agency

~~which~~ *that* owned the surplus real estate, as is prescribed by law or as may be determined by the state agency, unless otherwise required by state or federal law or by the limitations or restrictions of the state's title to the real estate being sold. In the case of proceeds from the sale of surplus real estate at a state mental health institution or a state institution for people with intellectual disability, such portion of the proceeds shall be credited to the client benefit fund of such institution or to another special revenue fund of such institution for: (A) Rehabilitation and repair or other capital improvements for such institution; or (B) one-time expenditures for community mental health organizations if the real estate sold was at a state mental health institution or for community developmental disabilities organizations if the real estate sold was at a state institution for people with intellectual disability, and, in any such case, shall be expended in accordance with the provisions of appropriation acts. ~~The remaining 80% of the proceeds from each such sale deposited in the state treasury shall be credited to the Kansas public employees retirement fund to be applied to the payment, in full or in part, of the unfunded actuarial pension liability as directed by the Kansas public employees retirement system. As used in this section, "unfunded actuarial pension liability" means the unfunded actuarially accrued liability of the state for the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, portion of such liability of the Kansas public employees retirement system, determined as of the later of December 31, 2011, or the end of the most recent calendar year for which an actuarial valuation report is available.~~

(2) The amount of expenses and the cost of appraisal for each sale of surplus real estate pursuant to this section shall be transferred and credited to the property contingency fund created under K.S.A. 75-3652, and amendments thereto, and may be expended for any operations of the department of administration.

(3) Any state agency owning real estate may apply to the director of accounts and reports to establish a surplus real estate special revenue fund in the state treasury. Subject to the provisions of appropriation acts, moneys in a surplus real estate special revenue fund may be expended for the operating expenditures of the state agency.

(g) (1) Any sale of property by the secretary of transportation pursuant to K.S.A. 68-413, and amendments thereto, shall not be subject to the provisions of this section.

(2) The provisions of this section shall not be applicable to real estate given as an endowment, bequest, or gift to a state educational institution as defined in K.S.A. ~~74-32,407~~ 76-711, and amendments thereto, or to the university of Kansas medical center. *The sale and conveyance of such real estate shall be subject to the provisions of section 1, and amendments thereto.*

(h) Sale of the Olathe travel information center shall not be subject to the provisions of this section.

Sec. 3. K.S.A. 75-6609 is hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 1, 2022.

CHAPTER 25

SENATE BILL No. 506*

AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the Kansas down syndrome awareness license plate.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) On and after January 1, 2023, any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one Kansas down syndrome awareness license plate for each such passenger vehicle or truck. Such license plate shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and either the payment to the county treasurer of the logo use royalty payment or the presentation of the annual logo use authorization statement provided for in subsection (b).

(b) The north central Kansas down syndrome society may authorize the use of the organization's logo to be affixed on license plates as provided by this section. Any motor vehicle owner or lessee may apply annually to the north central Kansas down syndrome society for use of such logo. Such owner or lessee shall pay an amount of not less than \$25 nor more than \$100 to the north central Kansas down syndrome society as a logo use royalty payment for each such license plate to be issued. The logo use royalty payment shall be paid to either:

(1) The north central Kansas down syndrome society, which shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement that shall be presented by the motor vehicle owner or lessee at the time of registration; or

(2) the county treasurer.

(c) Any applicant for a license plate authorized by this section may make application for such license plate not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plate shall either provide the annual logo use authorization statement provided for in subsection (b) or pay to the county treasurer the logo use royalty payment. Application for registration of a passenger vehicle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(d) No registration or license plate issued under this section shall be transferable to any other person.

(e) The director of vehicles may transfer a Kansas down syndrome awareness license plate from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in K.S.A. 8-132(b), and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides to the county treasurer either the annual logo use authorization statement provided for in subsection (b) or the payment of the annual royalty payment. If such statement is not presented at the time of registration or faxed by the north central Kansas down syndrome society, or the annual royalty payment is not made to the county treasurer, the applicant shall be required to comply with the provisions of K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

(g) The north central Kansas down syndrome society shall provide to all county treasurers an electronic mail address where applicants can contact the north central Kansas down syndrome society for information concerning the application process or the status of such applicant's license plate application.

(h) The north central Kansas down syndrome society, with the approval of the director of vehicles, shall design a plate to be issued under the provisions of this section.

(i) As a condition of receiving the order of the Kansas down syndrome awareness license plate and any subsequent registration renewal of such license plate, the applicant shall consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, royalty payment amount, plate number and vehicle type, to the north central Kansas down syndrome society and the state treasurer.

(j) The collection and remittance of annual royalty payments by the county treasurer shall be subject to the provisions of K.S.A. 8-1,141(h), and amendments thereto.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 1, 2022.

CHAPTER 26

HOUSE BILL No. 2490

AN ACT concerning persons with disabilities; relating to income taxation, ABLE savings accounts; authorizing the state treasurer to determine account owners and designated beneficiaries; adopting the federal definition for an eligible individual; adding persons who may open an account; requiring additional compliance with the federal internal revenue code; amending K.S.A. 75-651, 75-652, 75-653 and 75-655 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 75-651 is hereby amended to read as follows: 75-651. There is hereby established an enabling savings program ~~and such program that~~ shall be known and may be cited as the Kansas ABLE savings program. The purpose of the Kansas ABLE savings program is to authorize the establishment of savings accounts empowering individuals with a disability and their families to save private funds to support the individual with a disability, *obtain federal and state income tax benefits of a qualified ABLE program as defined in section 529A of the federal internal revenue code of 1986 and to provide guidelines for the maintenance of such accounts.*

Sec. 2. K.S.A. 75-652 is hereby amended to read as follows: 75-652. As used in this act:

(a) “Account” or “ABLE savings account” means an individual savings account established in accordance with the provisions of this act.

(b) “Account owner” means the person who enters into an ABLE savings agreement pursuant to the provisions of this act. The account owner ~~must~~ *shall* also be the designated beneficiary. A conservator ~~or, guardian or a person authorized by the treasurer through procedures established by the treasurer may be appointed as an account owner for act on behalf of a designated beneficiary who is a minor or lacks capacity to enter into an agreement of an account in accordance with procedures established by the treasurer.~~

(c) “Conservator” means a person appointed by the court pursuant to K.S.A. 59-3050 et seq., and amendments thereto.

(d) “Designated beneficiary” means a Kansas resident *or a person authorized by the treasurer pursuant to K.S.A. 75-653, and amendments thereto*, whose qualified disability expenses may be paid from the account. The designated beneficiary must be an eligible individual at the time the account is established. ~~The account owner may change the designated beneficiary.~~

(e) “Eligible individual” means ~~an individual who is entitled to benefits based on blindness or disability under 42 U.S.C. § 401 et seq. or 42 U.S.C. § 1381 et seq., as amended, and such blindness or disability occurred before the date on which the individual attained age 26, or~~

~~an individual who filed a disability certification, to the satisfaction of the secretary, with the secretary for such taxable year the same as defined in section 529A of the federal internal revenue code of 1986, as amended.~~

(f) “Financial organization” means an organization authorized to do business in the state of Kansas and is:

- (1) Licensed or chartered by the commissioner of insurance;
- (2) licensed or chartered by the state bank commissioner;
- (3) chartered by an agency of the federal government; or
- (4) subject to the jurisdiction and regulation of the securities and exchange commission of the federal government.

(g) “Guardian” means a person appointed by the court pursuant to K.S.A. 59-3050 et seq., and amendments thereto.

(h) “Management contract” means the contract executed by the treasurer and a financial organization selected to act as a depository and manager of the program.

(i) “Member of the family” ~~has the meaning ascribed thereto~~ means *the same as defined* in section 529A of the federal internal revenue code of 1986, as amended.

(j) “Nonqualified withdrawal” means a withdrawal from an account which is not:

- (1) A qualified withdrawal; or
- (2) a rollover distribution.

(k) “Program” means the Kansas ABLE savings program established pursuant to this act.

(l) “Program manager” means a financial organization selected by the treasurer to act as a depository and manager of the program.

(m) “Qualified disability expense” means ~~any qualified disability expense included~~ *the same as defined* in section 529A of the federal internal revenue code of 1986, as amended.

(n) “Qualified withdrawal” means a withdrawal from an account to pay the qualified disability expenses of the designated beneficiary of the account.

(o) “Rollover distribution” means a rollover distribution as defined in section 529A of the federal internal revenue code of 1986, as amended.

(p) “Savings agreement” means an agreement between the program manager or the treasurer and the account owner.

(q) “Secretary” means the secretary of the United States treasury.

(r) “Treasurer” means the state treasurer.

Sec. 3. K.S.A. 75-653 is hereby amended to read as follows: 75-653.

(a) The treasurer shall implement and administer the program under the terms and conditions established by this act. In furtherance of such implementation and administration, the treasurer shall have the authority and responsibility to:

(1) Develop and implement the program in a manner consistent with the provisions of this act;

(2) engage the services of consultants on a contract basis for rendering professional and technical assistance and advice;

(3) seek rulings and other guidance from the secretary and the federal internal revenue service relating to the program;

(4) make changes to the program required for the participants in the program to obtain the federal *and state* income tax benefits or treatment provided by section 529A of the federal internal revenue code of 1986, as amended;

(5) charge, impose and collect administrative fees and service charges in connection with any agreement, contract or transaction relating to the program;

(6) develop marketing plans and promotion material;

(7) establish the methods by which the funds held in accounts shall be dispersed;

(8) establish the method by which funds shall be allocated to pay for administrative costs;

(9) do all things necessary and proper to carry out the purposes of this act;

(10) promulgate rules and regulations necessary to effectuate the provisions of this act;

(11) make an annual evaluation of the ABLE savings program and prepare an annual report of such evaluation to be provided to the governor, the senate and the house of representatives; and

(12) notify the secretary when an account has been opened for a designated beneficiary and submit other reports concerning the program required by the secretary.

(b) The treasurer may enter into agreements with other states to either allow Kansas residents to participate in a plan operated by another state or to allow residents of other states to participate in the Kansas ABLE program.

Sec. 4. K.S.A. 75-655 is hereby amended to read as follows: 75-655. (a) Any ABLE savings accounts established pursuant to the provisions of this act shall be opened by:

(1) A designated beneficiary ~~or a conservator or guardian of a designated beneficiary who lacks capacity to enter into a contract and; or~~

(2) *a person on behalf of a designated beneficiary in accordance with section 529A of the federal internal revenue code of 1986, as amended, any rules and regulations promulgated by the secretary or procedures established by the treasurer.*

(b) Each beneficiary may have only one account.

(c) The treasurer may establish a nonrefundable application fee. An application for such account shall be in the form prescribed by the treasurer and contain the:

(1) Name, address and social security number of the account owner;
and

~~(2) name, address and social security number of the designated beneficiary, if the account owner is the beneficiary's conservator or guardian;~~

~~(3) certification relating to no excess contributions; and~~

~~(4) additional information and certifications as the treasurer may require.~~

~~(b)(d)~~ Any person may make contributions to an ABLE savings account after the account is opened, subject to the limitations imposed by *in accordance with* section 529A of the federal internal revenue code of 1986, as amended, ~~or~~ any rules and regulations promulgated by the secretary pursuant to this act *or procedures established by the treasurer.*

~~(e)(e)~~ Contributions to ABLE savings accounts only may be made in cash. The treasurer or program manager shall reject or promptly withdraw contributions:

(1) In excess of the limits established pursuant to subsection (b); or

(2) the total contributions if the:

(A) Value of the account is equal to or greater than the account maximum established by the treasurer. Such account maximum must be equal to the account maximum for postsecondary education savings accounts established pursuant to K.S.A. 75-640 et seq., and amendments thereto; or

(B) designated beneficiary is not an eligible individual in the current calendar year.

~~(d)(f)~~ (1) An account owner may:

(A) Change the designated beneficiary of an account to an individual who is a member of the family of the prior designated beneficiary in accordance with *section 529A of the internal revenue code of 1986, as amended, and* procedures established by the treasurer; and

(B) transfer all or a portion of an account to another ABLE savings account, the designated beneficiary of which is a member of the family as ~~defined in~~ *in accordance with* section 529A of the federal internal revenue code of 1986, as amended, *and procedures established by the treasurer.*

(2) No account owner may use an interest in an account as security for a loan. Any pledge of an interest in an account shall be of no force and effect.

~~(e)(g)~~ (1) If there is any distribution from an account to any individual or for the benefit of any individual during a calendar year, such distribution shall be reported to the federal internal revenue service and each account owner, the designated beneficiary or the distributee to the extent required by state or federal law.

(2) Statements shall be provided to each account owner at least four times each year within 30 days after the end of the three-month period to which a statement relates. The statement shall identify the contributions

made during the preceding three-month period, the total contributions made to the account through the end of the period, the value of the account at the end of such period, distributions made during such period and any other information that the treasurer shall require to be reported to the account owner.

(3) Statements and information relating to accounts shall be prepared and filed to the extent required by this act and any other state or federal law.

~~(f)~~*(h)* (1) The program shall provide separate accounting for each designated beneficiary. An annual fee may be imposed upon the account owner for the maintenance of an account.

(2) Moneys in an ABLE savings account shall be exempt from attachment, execution or garnishment as provided by K.S.A. 60-2308, and amendments thereto.

~~(g)~~*(i)* Except as otherwise provided by federal law, the proceeds from an account may be transferred upon the death of a designated beneficiary to: (1) The estate of a designated beneficiary; or (2) an account for another eligible individual specified by the designated beneficiary or the estate of the designated beneficiary. The state of Kansas, or any agency or instrumentality thereof, shall not seek payment under section 529A of the internal revenue code of 1986, as amended, from the account, or its proceeds, for benefits provided to a designated beneficiary, unless otherwise required by section 1917(b) of the federal social security act, 42 U.S.C. § 1396p(b).

Sec. 5. K.S.A. 75-651, 75-652, 75-653 and 75-655 are hereby repealed.

Sec. 6. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 7, 2022.

CHAPTER 27

HOUSE BILL No. 2110*

AN ACT concerning insurance; relating to the state employees health care commission; mandating coverage for pediatric acute-onset neuropsychiatric syndrome (PANS) and pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections (PANDAS); requiring submission of an impact report to the legislature.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) As used in this section:

(1) “PANS” means pediatric acute-onset neuropsychiatric syndrome; and

(2) “PANDAS” means pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections.

(b) In the coverage for the next health plan coverage year commencing on January 1, 2023, the state employees health care commission shall provide for the coverage for the diagnosis and prescribed treatment of PANS and PANDAS.

(c) (1) Pursuant to the provisions of K.S.A. 40-2249a, and amendments thereto, on or before March 1, 2024, the state employees health care commission shall submit to the president of the senate and to the speaker of the house of representatives a report including the following information pertaining to the mandated coverage for PANS and PANDAS provided during the plan year commencing on January 1, 2023, and ending on December 31, 2023:

(A) The impact that the mandated coverage for PANS and PANDAS required by subsection (b) has had on the state health care benefits program;

(B) data on the utilization of coverage for PANS and PANDAS by covered individuals and the cost of providing such coverage for PANS and PANDAS; and

(C) a recommendation whether such mandated coverage for PANS and PANDAS should continue for the state health care benefits program or whether additional utilization and cost data is required.

(2) At the next legislative session following receipt of the report required in paragraph (1), the legislature may consider whether or not to require the coverage for PANS and PANDAS required by subsection (b) to be included in any individual or group health insurance policy, medical service plan, contract, hospital service corporation contract, hospital and medical service corporation contract, fraternal benefit society or health maintenance organization that provides coverage for accident and health services and that is delivered, issued for delivery, amended or renewed in this state on or after July 1, 2025.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 7, 2022.

CHAPTER 28

HOUSE BILL No. 2481*

AN ACT concerning retirement and pensions; relating to the Kansas police and firemen's retirement system; authorizing the purchase of participating service credit for certain in-state nonfederal governmental employment; providing certain terms and conditions.

Be it enacted by the Legislature of the State of Kansas:

Section 1. Subject to the provisions of K.S.A. 74-49,123, and amendments thereto, on and after July 1, 2022, any member of the Kansas police and firemen's retirement system who was previously employed in in-state nonfederal governmental employment and whose service otherwise meets the requirements of an employee as prescribed in K.S.A. 74-4952(4), and amendments thereto, and meets the requirements of K.S.A. 74-4902(10), and amendments thereto, may elect to purchase service for such nonfederal governmental employment. Such purchase shall be effected by the member submitting proof of such service that is acceptable to the board and electing in writing to have employee contributions as provided in K.S.A. 74-4965, and amendments thereto, deducted from such member's compensation at an additional rate of contribution, in addition to the employee's rate of contribution as provided in K.S.A. 74-4965, and amendments thereto, based upon the member's attained age at the time of purchase and using actuarial assumptions and tables in use by the retirement system at such time of purchase for such periods of service. Such additional rate of contribution shall commence at the beginning of the quarter following such election and shall remain in effect until all of the full quarters of such service have been purchased. Such member may effect such purchase by means of a single lump-sum payment in lieu of employee contributions as provided in this section. The lump-sum payment shall be an amount determined by the actuary using the member's annual rate of compensation or the member's final average salary at the time the member elects to purchase such service credit, whichever is higher, the actuarial assumptions and tables currently in use by the retirement system and the member's attained age.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 7, 2022.

CHAPTER 29

HOUSE BILL No. 2547

AN ACT concerning insurance; relating to the captive insurance act; authorizing technology-enabled fiduciary financial institution insurance companies; providing for the certificate of authority, requirements and operations thereof; amending K.S.A. 40-4301, 40-4302, 40-4303, 40-4310 and 40-4353 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. (a) In addition to the types of insurance permitted under K.S.A. 40-4302, and amendments thereto, the certificate of authority issued to a technology-enabled fiduciary financial institution insurance company shall authorize such insurance company to provide contracts of suretyship or credit insurance where the obligee under the contract of suretyship or the insured under the contract of credit insurance, as the case may be, is:

- (1) An affiliated technology-enabled fiduciary financial institution;
- (2) an affiliated fidfin trust; or
- (3) any other affiliated company.

(b) (1) In addition to the types of insurance otherwise permitted, and without any limitation, under K.S.A. 40-4302, and amendments thereto, the certificate of authority issued to a technology-enabled fiduciary financial institution insurance company shall authorize such insurance company to insure its affiliated companies that are investors in an investment fund against liability, loss or damage resulting from owning an interest in an investment fund from any of the following risks:

(A) Fraud, theft or conversion of assets by a manager of an investment fund;

(B) the obligation of an investor in an investment fund to indemnify or exculpate a manager of such investment fund;

(C) any obligation of an affiliated technology-enabled fiduciary financial institution, affiliated fidfin trust or affiliated company to indemnify or exculpate an affiliated company or an investment fund in which any affiliated fidfin trust is an investor, or of which an affiliated fidfin trust is an affiliated company or of which any affiliated fidfin trust is a manager;

(D) the inability of an investor to recover damages from a manager of such investment fund as a result of exculpation provisions in the governing documents of such investment fund;

(E) breach of representations or warranties made by a transferor, assignor or investor in an investment fund in connection with a transfer or assignment of an interest in an investment fund; or

(F) breach of an obligation of a transferor, assignor or investor in an investment fund to pass through to the transferee, assignee or substitute

investor in an investment fund any and all economic benefits of a transferred or assigned interest in an investment fund.

(2) To the extent that such coverages in this subsection are not included within any of the classes enumerated in K.S.A. 40-1102, and amendments thereto, such coverages shall be deemed as included in K.S.A. 40-1102(1)(n), and amendments thereto, and the commissioner shall assign such coverages to an appropriate line of business for financial reporting purposes and all other purposes under chapter 40 of the Kansas Statutes Annotated, and amendments thereto.

(c) For the purpose of any policy or product offered by a technology-enabled fiduciary financial institution insurance company as insurance, fortuitous events shall include, without limitation:

(1) The denial of, or failure to provide, consent by a manager of an investment fund to the assignment or transfer of interests in an investment fund from an investor to an affiliated fidfin trust;

(2) any action taken by a manager of an investment fund that affects the economic value of an investor's interest in an investment fund in response to the attempted transfer of such interest in an investment fund to an affiliated fidfin trust;

(3) after an attempted transfer of an interest in an investment fund from an investor to an affiliated fidfin trust, the failure of such investor to transmit any distributions or other economic value from such interest in an investment fund to the applicable affiliated fidfin trust;

(4) after an attempted transfer of an interest in an investment fund from an investor to an affiliated fidfin trust, any action taken by another investor in such investment fund that affects:

(A) The economic value of such interest in an investment fund; or

(B) such transferor's ability to transfer such interest in an investment fund to the applicable affiliated fidfin trust; and

(5) any other risks related to the transfer of an interest in an investment fund from an investor to an affiliated fidfin trust.

(d) Notwithstanding the provisions of K.S.A. 40-4303, and amendments thereto, a technology-enabled fiduciary financial institution insurance company shall not be required to incorporate the word "captive" into its name if such insurance company incorporates into its name any of the following identifiers:

(1) "Technology-enabled fiduciary financial institution insurance company" or "TEFFI insurance company";

(2) "Kansas e-commerce fidfin insurance company"; or

(3) "KEFFI."

(e) For purposes of K.S.A. 40-4302(b)(3), and amendments thereto, the principal place of business in this state of a technology-enabled fiduciary financial institution insurance company may be located in the same

or shared office premises with an affiliated technology-enabled fiduciary financial institution or other technology-enabled fiduciary financial institution insurance company.

(f) Any natural person who serves as a member of the board of directors of an affiliated technology-enabled fiduciary financial institution or other affiliated company may concurrently fulfill the Kansas residency requirement of K.S.A. 9-2306(b), and amendments thereto, and may:

(1) Serve on the board of directors of a technology-enabled fiduciary financial institution insurance company that is organized as a corporation or serve as a manager of a technology-enabled fiduciary financial institution that is organized as a limited liability company; and

(2) fulfill the applicable Kansas residency requirements of K.S.A. 40-4306(d), and amendments thereto.

(g) (1) A technology-enabled fiduciary financial institution insurance company may enter into service contracts with any other technology-enabled fiduciary financial institution insurance company, an affiliated technology-enabled fiduciary financial institution or affiliated companies that provide for services to be performed:

(A) For the technology-enabled fiduciary financial institution insurance company, including such insurance companies that operate with or without direct employees; or

(B) by the technology-enabled fiduciary financial institution insurance company.

(2) Any personnel who perform services for a technology-enabled fiduciary financial institution insurance company, either as employees of such insurance company or pursuant to service contracts, may concurrently perform services for any other technology-enabled fiduciary financial institution insurance company, an affiliated technology-enabled fiduciary financial institution or an affiliated company thereof, either as employees or pursuant to service contracts.

(h) (1) If a technology-enabled fiduciary financial institution insurance company issues payment-in-kind policies that expressly require such insurance company to hold a sufficient amount of in-kind assets to meet the full obligations of such payment-in-kind policies, such insurance company shall hold in-kind assets in a total amount determined to be actuarially prudent to meet its obligations to make claim payments under such payment-in-kind policies, but in no event shall such amount be less than the sum of the aggregate obligations of and for all such payment-in-kind policies. If a technology-enabled fiduciary financial institution insurance company issues payment-in-kind policies that do not expressly require such insurance company to hold a certain amount of in-kind assets, such insurance company shall hold in-kind assets to the extent determined to be actuarially prudent by such insurance company and confirmed by a

third-party actuary selected by such insurance company, to enable such insurance company to meet its obligations to make claim payments under such payment-in-kind policies. Such third-party actuary shall have an actuarial designation meeting the national association of insurance commissioners minimum property and casualty actuarial educational standards for a property and casualty appointed actuary as published on the website for the national association of insurance commissioners. For the purposes of the captive insurance act, a technology-enabled fiduciary financial institution insurance company shall value any in-kind asset or combination of in-kind assets in accordance with generally accepted accounting principles, as applied by such insurance company in its sole discretion.

(2) A technology-enabled fiduciary financial institution insurance company shall satisfy claims under a payment-in-kind policy by delivering to the qualified policyholder in-kind assets or a combination of in-kind assets pursuant to the schedules attached to such payment-in-kind policy. The in-kind assets or combination of in-kind assets delivered to a qualified policyholder may be:

(A) An interest or interests in an investment fund that is the subject of such payment-in-kind policy; or

(B) any other in-kind assets or combination of in-kind assets as shall be selected by such insurance company in its sole discretion if such assets have a like or equal value and otherwise comply with the schedules attached to such payment-in-kind policy.

(3) Any in-kind assets held pursuant to this subsection shall be required to be counted as part of the reserves, capital and surplus of a technology-enabled fiduciary financial institution insurance company maintained and reported as for the primary and predominant business activity of the writing of insurance or the reinsuring of risks, except that a technology-enabled fiduciary financial institution insurance company that satisfies the requirements of K.S.A. 40-4304, and amendments thereto, shall not be required to hold any other assets so long as such in-kind assets are sufficient to meet its obligations to make claim payments under payment-in-kind policies by delivering such in-kind assets to qualified policyholders.

(4) All revenue and income generated by the in-kind assets required to be held pursuant to this subsection, including interest, capital gains and investment revenue and income, whether realized or unrealized, shall be deemed income derived from the business activity of the writing of insurance or the reinsuring of risks underwritten by technology-enabled fiduciary financial institution insurance companies. If such amounts represent net income, then such income shall be reported as statutory revenues from the business activity of the writing of insurance or the reinsuring of risks. If such amounts represent a net loss, then such loss shall

be reported as statutory net losses included with losses from claims. Such amounts shall be reported and included in statutory financial statements. All payment-in-kind assets required to be held by a technology-enabled fiduciary financial institution insurance company under this subsection shall be reported on its statutory balance sheet as being dedicated to the satisfaction of such company's payment-in-kind obligations resulting from the business activity of the writing of insurance or the reinsuring of risks.

(5) A technology-enabled fiduciary financial institution insurance company will be required to report any items required to be included under this subsection in a statutory financial statement in the segment reporting section of the footnotes prepared in accordance with generally accepted accounting principles.

(6) A technology-enabled fiduciary financial institution insurance company will be required to include in its complete statutory financial statements in the footnotes reporting other information prepared in accordance with generally accepted accounting principles.

(i) Any insurance company regardless of the jurisdiction in which such insurance company is organized and operates is permitted to hold equity interests in an affiliated technology-enabled fiduciary financial institution and may utilize such equity interests as in-kind assets when issuing payment-in-kind policies to such affiliated technology-enabled fiduciary financial institution or other qualified policyholder.

(j) A technology-enabled fiduciary financial institution insurance company shall not be required to employ, engage or contract more than one employee in this state to provide services for such technology-enabled fiduciary financial institution insurance company or to facilitate any examinations required by the captive insurance act.

(k) A technology-enabled fiduciary financial institution insurance company or other insurance company organized under the provisions of K.S.A. 40-4306, and amendments thereto, that has been issued a certificate of authority under K.S.A. 40-4302, and amendments thereto, shall be an "insurance company" as defined in K.S.A. 40-222c, and amendments thereto. An insurance company described in this subsection shall be considered to have as its primary and predominant business activity the writing of insurance or the reinsuring of risks underwritten by insurance companies and shall be subject to the supervision of the commissioner.

(l) A technology-enabled fiduciary financial institution insurance company that has been issued a certificate of authority under K.S.A. 40-4302, and amendments thereto, shall be permitted, subject to compliance with the provisions of K.S.A. 40-214, and amendments thereto, to do business in any other state or territory of the United States.

(m) A technology-enabled fiduciary financial institution policy may include a provision that such policy shall be governed by, and construed

in accordance with, the laws of the state of Kansas and such policy provision shall control over any contrary provision of state law regarding conflict of laws.

(n) A technology-enabled fiduciary financial institution policy may include a provision that any suit, action or proceeding arising out of or relating to such technology-enabled fiduciary financial institution policy shall be brought in any district court of this state or the United States district court for the district of Kansas and any such provision shall be fully enforceable.

(o) A technology-enabled fiduciary financial institution policy issued in connection with an affiliated fidfin trust or fidfin transaction as defined in K.S.A. 2021 Supp. 9-2301, and amendments thereto, shall respect the form, treatment and character of such affiliated fidfin trust or fidfin transaction under the laws of this state notwithstanding the treatment or characterization of such transaction under generally accepted accounting principles or for tax purposes.

(p) A payment-in-kind policy issued to a qualified policyholder shall be fully enforceable in accordance with such policy's terms and conditions as defined in K.S.A. 40-4301, and amendments thereto.

(q) The provisions of this section shall be construed in a manner that shall not be disruptive to state efforts to establish a coherent policy with respect to a technology-enabled fiduciary financial institution insurance company, a technology-enabled fiduciary financial institution policy, payment-in-kind policies, technology-enabled fiduciary financial institutions or any other matter of substantial public concern related thereto.

(r) This section shall be a part of and supplemental to the captive insurance act.

Sec. 2. K.S.A. 40-4301 is hereby amended to read as follows: 40-4301. As used in the captive insurance act, unless the context requires otherwise:

(a) "Affiliated company" means any person, other than a natural person in that person's individual capacity, in the same corporate system as a parent, or an associate member by common ownership, control, operation or management, *any affiliated fidfin trust and any affiliated technology-enabled fiduciary financial institution.*

(b) "Affiliated fidfin trust" means a trust, including a fidfin trust of which an affiliated technology-enabled fiduciary financial institution acts as a trustee or custodian.

(c) "Affiliated technology-enabled fiduciary financial institution" means a technology-enabled fiduciary financial institution:

(1) That is related to a technology-enabled fiduciary financial institution insurance company by common ownership; or

(2) at least 5% of the equity interests of which, including any equity interests in the technology-enabled fiduciary financial institution's holding

company are owned directly, indirectly or beneficially by a technology-enabled fiduciary financial institution insurance company. In calculating a technology-enabled fiduciary financial institution insurance company's ownership of a technology-enabled fiduciary financial institution: (A) Both voting and nonvoting equity interests shall be included in such calculation; and (B) any equity interests of the technology-enabled fiduciary financial institution owned by an affiliate of such technology-enabled fiduciary financial institution insurance company shall be attributed to such technology-enabled fiduciary financial institution insurance company.

~~(b)~~(d) “Association” means any legal association of persons, corporations, limited liability companies, partnerships, associations or other entities that have been in continuous existence for at least one year or such lesser period of time approved by the commissioner, whether or not in conjunction with some or all of the member organizations that:

(1) Own, control or hold with power to vote all of the outstanding voting securities of an association captive insurance company incorporated as a stock insurer;

(2) have complete voting control over an association captive insurance company incorporated as a mutual insurer;

(3) constitute all of the subscribers of an association captive insurance company formed as a limited liability company; or

(4) have complete voting control over an association captive insurance company formed as a limited liability company.

~~(e)~~(e) “Association captive insurance company” means any captive insurance company that insures risks of association members.

~~(d)~~(f) “Association member” means any person that belongs to an association.

~~(e)~~(g) “Capital and surplus” means the amount by which the value of all of the assets exceeds all of the liabilities of the captive insurance company, as determined under the method of accounting utilized by the captive insurance company in accordance with the applicable provisions of this act.

~~(f)~~(h) “Captive insurance company” means any pure captive insurance company or association captive insurance company. For purposes of this act, a branch captive insurance company shall be a pure captive insurance company with respect to operations in this state, unless otherwise permitted by the commissioner.

~~(g)~~(i) “Commissioner” means the commissioner of insurance.

(j) “Common ownership” means at least 5% equity ownership, whether voting or nonvoting, that is held directly, indirectly or beneficially through one or more entities, including ownership in a technology-enabled fiduciary financial institution's holding company.

~~(h)~~(k) “Controlled unaffiliated business” means any person other than a natural person in that natural person's individual capacity:

(1) That is not a part of the corporate system of a parent and its affiliated companies;

(2) that has an existing contractual relationship with such parent or any such affiliated company; and

(3) whose risks are managed by a pure captive insurance company.

~~(i)~~(l) “Department” means the Kansas insurance department.

~~(i)~~(m) “Domestic” means any insurance company formed under the laws of the state of Kansas.

(n) *“Fidfin trust” means the same as defined in K.S.A. 2021 Supp. 9-2301, and amendments thereto.*

(o) *“In-kind asset” means:*

(1) *Any loan, financing or extension of credit, including to an affiliated fidfin trust, originated by a technology-enabled fiduciary financial institution;*

(2) *one or more equity interests in one or more investment funds, each an interest in an investment fund, or one or more equity interests in one or more technology-enabled fiduciary financial institutions;*

(3) *any loan, financing or extension of credit secured by the pledge of equity of one or more interests in an investment fund or the cash flow derived therefrom;*

(4) *any other assets that serve as collateral securing such loans, equity or debt financing or extensions of credit described in this subsection; and*

(5) *any beneficial interests in trusts that own assets described in this subsection that are held by an insurance company for the purpose of enabling such insurance company to meet its obligations to make claim payments under payment-in-kind policies by delivering such assets.*

~~(k)~~(p) “Insurer” means the same as “insurance company” as that term is defined in K.S.A. 40-222c, and amendments thereto.

(q) *“Interest in an investment fund,” “equity interest in an investment fund” and terms of similar import mean the ownership or contractual rights to the economics, directly or indirectly, of an investment fund, including pursuant to economic direction agreements, contractual rights, interests and entitlements to any economics derived from an investment fund.*

(r) *“Investment fund” means any collective investment vehicle, whether organized as a limited partnership, limited liability company or in some other form, and whether organized in the United States or a foreign jurisdiction, when the interests in such vehicle qualify as alternative assets as defined in K.S.A. 2021 Supp. 9-2301, and amendments thereto.*

(s) *“Investor in an investment fund” and terms of similar import means any party who owns an interest in an investment fund.*

(t) *“Manager” means with respect to an investment fund, the general partner of a limited partnership, the manager of a limited liability company, any person with equivalent authority in a similar business entity or*

any investment manager who manages the investments of an investment fund pursuant to a contract.

~~(4)~~(u) “Member organization” means any individual, corporation, limited liability company, partnership, association or other entity that belongs to an association.

~~(m)~~(v) “Natural person” means a human being.

~~(n)~~(w) “Organizational documents” means the captive insurance company’s articles of organization, bylaws, operating agreement or other foundational document that establishes the captive insurance company as a legal entity or prescribes its existence.

~~(o)~~(x) “Parent” means a corporation, partnership or individual that directly or indirectly owns, controls or holds with power to vote more than 50% of the outstanding voting securities or other voting interest of a pure captive insurance company, or as assigned in the plan of operation.

(y) “Payment-in-kind policy” means a policy that, along with any applicable schedules, is required to be in writing and which satisfies the following conditions:

(1) *The policyholder of such policy is a qualified policyholder;*

(2) *is issued by a technology-enabled fiduciary financial institution insurance company or an insurance company organized in a jurisdiction other than Kansas;*

(3) *provides that such insurance company has the option, in such insurance company’s sole discretion, to make claim payments, in whole or in part, in cash or in the form of in-kind assets rather than cash pursuant to schedules attached to the policy as required by this subsection and agreed to in writing by the qualified policyholder;*

(4) *provides for such payment-in-kind policy to be fully enforceable in accordance with such policy’s terms and this subsection;*

(5) *may provide for such payment-in-kind policy or provisions relating to in-kind assets and payments thereof to be governed by, and construed in accordance with, the laws of the state of Kansas and such policy or provisions shall control over any contrary provision of state law regarding conflict of laws and any such provision shall be fully enforceable;*

(6) *may provide that any suit, action or proceeding arising out of or relating to such payment-in-kind policy shall be brought in any district court of this state or the United States district court for the district of Kansas and any such provision shall be fully enforceable;*

(7) *may be a contract of suretyship or credit insurance in accordance with section 1, and amendments thereto;*

(8) *contains one or more schedules to such payment-in-kind policy that sets out a description of the specific in-kind assets that the insurance company may deliver to the qualified policyholder to make claim payments as agreed to in writing by the qualified policyholder;*

(9) *may include a copy of the governing documents in effect at the time of issuance of such payment-in-kind policy of any legal entity that is the issuer of or obligor under such in-kind assets;*

(10) *includes a provision that the qualified policyholder agrees that the insurance company has no obligation to provide, and the qualified policyholder has no additional rights to, any further disclosure regarding the in-kind assets and shall not rely on any other disclosures provided by the insurance company other than the disclosure required by this subsection;*

(11) *includes a provision that the qualified policyholder agrees that such insurance company has no obligation to make claim payments in any form other than the in-kind assets specified in such schedules;*

(12) *requires the qualified policyholder to acknowledge that such insurance company has no obligation to deliver to such qualified policyholder any underlying assets in the chain of ownership below the in-kind assets specified in such schedules; and*

(13) *requires the qualified policyholder to acknowledge that:*

(A) *Such qualified policyholder has no recourse against the insurance company with respect to any in-kind assets other than those in-kind assets scheduled and attached to such payment-in-kind policy; and*

(B) *any such recourse shall be limited to only those scheduled in-kind assets that the insurance company, in the insurance company's sole discretion, makes available to such qualified policyholder as an in-kind payment in response to a claim initiated by such qualified policyholder.*

~~(p)~~(z) "Person" means a natural person, partnership, trust, estate, association, corporation, limited liability company, custodian, nominee or other individual or entity in its own or any representative capacity, in each case whether domestic, foreign or alien.

~~(q)~~(aa) "Personal lines of insurance" means personal motor vehicle, homeowner's insurance coverage, residential fire insurance or any component thereof.

~~(r)~~(bb) "Pure captive insurance company" means any company that insures risks of its parent and affiliated companies and controlled unaffiliated business.

(cc) *"Qualified policyholder" means:*

(1) *An affiliated fidfin trust;*

(2) *the owner or deemed owner of an affiliated fidfin trust if such affiliated fidfin trust has a certificate of ownership;*

(3) *a qualified purchaser as defined in section 2(a)(51) of the federal investment company act of 1940, as in effect on July 1, 2022; or*

(4) *an institutional investor as defined in the Kansas uniform securities act.*

~~(s)~~(dd) "Risk retention group" means a captive insurance company or-

ganized under the laws of the state of Kansas pursuant to the liability risk retention act of 1986, 15 U.S.C. § 3901 et seq., as amended, as a stock or mutual corporation, a reciprocal or other limited liability entity.

(ee) *“Technology-enabled fiduciary financial institution” means the same as defined in K.S.A. 2021 Supp. 9-2301, and amendments thereto.*

(ff) *“Technology-enabled fiduciary financial institution insurance company” means a pure captive insurance company that:*

(1) *Is related to a technology-enabled fiduciary financial institution by common ownership; or*

(2) *owns, directly, indirectly or beneficially at least 5% of the equity interests of a technology-enabled fiduciary financial institution, including any equity interests in such technology-enabled fiduciary financial institution’s holding company. In calculating a technology-enabled fiduciary financial institution insurance company’s ownership of a technology-enabled fiduciary financial institution:*

(A) *Both voting and nonvoting equity interests shall be included in such calculation; and*

(B) *any equity interests of the technology-enabled fiduciary financial institution owned by an affiliate of such technology-enabled fiduciary financial institution insurance company shall be attributed to such technology-enabled fiduciary financial institution insurance company.*

(gg) *“Technology-enabled fiduciary financial institution policy” means a contract of insurance or suretyship issued by a technology-enabled fiduciary financial institution insurance company.*

(hh) *“Technology-enabled fiduciary financial institution policyholder” means the:*

(1) *Insured, in the case of a technology-enabled fiduciary financial institution policy that is a contract of insurance; or*

(2) *obligee, in the case of a technology-enabled fiduciary financial institution policy that is a contract of suretyship.*

Sec. 3. K.S.A. 40-4302 is hereby amended to read as follows: 40-4302.

(a) Any captive insurance company, when permitted by its organizational documents, may apply to the commissioner for a certificate of authority to do any and all insurance comprised in K.S.A. 40-901 et seq., 40-1102(1) (a), (1)(c) through (1)(n), and amendments thereto, and to issue life, accident and health insurance policies provided that:

(1) No pure captive insurance company shall insure any risks other than those of its parent and affiliated companies and, upon prior approval of the commissioner, any controlled unaffiliated business up to 5% of total direct written premium;

(2) no association captive insurance company shall insure any risks other than those of its association and those of the member organizations of its association. No association captive insurance company shall expose

itself to loss on any one risk or hazard in an amount exceeding 10% of its paid-up capital and surplus;

(3) no captive insurance company shall provide personal lines of insurance, workers' compensation, employers' liability insurance coverage, long-term care coverage, critical care coverage, surety, title insurance, credit insurance or any component thereof, *except that a technology-enabled fiduciary financial institution insurance company shall be permitted to provide contracts of suretyship and credit insurance in accordance with section 1, and amendments thereto*;

(4) no captive insurance company shall accept or cede reinsurance except as provided in K.S.A. 40-4311, and amendments thereto;

(5) no captive insurance company shall provide accident and health, life insurance or annuities on a direct basis;

(6) no captive insurance company authorized as a life insurance company shall transact business other than life insurance; and

(7) no captive insurance company authorized to transact business under article 9 or 11 of chapter 40 of the Kansas Statutes Annotated, and amendments thereto, shall engage in the business of life insurance.

(b) No captive insurance company organized under the laws of this state shall do any insurance business in this state unless:

(1) It first obtains from the commissioner a certificate of authority authorizing it to do insurance business in this state;

(2) its board of directors, members, partners, managers, committee of managers or other governing body holds at least one meeting each year in this state;

(3) it maintains its principal place of business in this state; and

(4) it authorizes the commissioner to accept service of process on its behalf in accordance with K.S.A. 40-218, and amendments thereto.

(c) Before receiving a certificate of authority, an applicant captive insurance company shall file with the commissioner:

(1) A copy of the applicant captive insurance company's organizational documents; and

(2) a plan of operation or a feasibility study describing the anticipated activities and results of the applicant captive insurance company that shall include:

(A) The company's loss prevention program of its parent and insureds, as applicable;

(B) historical and expected loss experience of the risks to be insured or reinsured by the applicant captive insurance company;

(C) pro forma financial statements and projections of the proposed business operations of the applicant captive insurance company;

(D) an analysis of the adequacy of the applicant captive insurance company's proposed premiums, assets and capital and surplus levels rel-

ative to the risks to be insured or reinsured by the captive insurance company;

(E) a statement of the applicant captive insurance company's net retained limited liability on any contract of insurance or reinsurance it intends to issue and the nature of any reinsurance it intends to cede;

(F) a statement certifying that the applicant captive insurance company's investment policy is in compliance with this act and specifying the type of investments to be made;

(G) a statement identifying the geographic areas in which the applicant captive insurance company intends to operate;

(H) a statement identifying the persons or organizations that will perform the applicant captive insurance company's major operational functions, including management, underwriting, accounting, asset investment, claims adjusting and loss control and the adequacy of the expertise, experience and character of such persons or organizations; and

(I) whenever required by the commissioner, an appropriate opinion by a qualified independent actuary regarding the adequacy of the applicant captive insurance company's proposed capital, surplus and premium levels;

(3) a description of the coverages, deductibles, coverage limits, rates and forms, together with any additional information that the commissioner may require;

(4) such other items deemed relevant by the commissioner in ascertaining whether the proposed captive insurance company will be able to meet its obligations; and

(5) any modification or change in the items required under this subsection that shall require the prior approval of the commissioner.

(d) Each captive insurance company not in existence on January 1, 2018, shall pay to the commissioner a nonrefundable fee of \$10,000 for examining, investigating and processing its application for a certificate of authority. The commissioner is authorized to retain legal, financial, actuarial, analysis and examination services from outside the department, the reasonable costs of which shall be charged against the applicant. In addition, it shall pay a renewal fee for each year thereafter of \$10,000.

(e) Each captive insurance company already in existence on January 1, 2018, shall pay an annual renewal fee of \$110 until January 1, 2028, after which date the provisions of subsection (d) shall apply.

(f) If the commissioner is satisfied that the documents and statements that such captive insurance company has filed comply with the provisions of this act, the commissioner may grant a certificate of authority authorizing it a:

(1) *Captive insurance company other than a technology-enabled fiduciary financial institution to do insurance business in this state until March 1 thereafter, which certificate of authority may be renewed; and*

(2) *technology-enabled fiduciary financial institution insurance company to do insurance business in this state until the later of March 1 thereafter or the maturity date of the last payment-in-kind asset held by such technology-enabled fiduciary financial institution insurance company pursuant to this act.*

(g) Information submitted under this section shall be and remain confidential, and shall not be made public by the commissioner or any employee or agent of the commissioner without the written consent of the company, except that:

(1) Such information may be discoverable by a party in a civil action or contested case to which the captive insurance company that submitted such information is a party, upon a showing by the party seeking to discover such information that:

(A) The information sought is relevant to and necessary for the furtherance of such action or case;

(B) the information sought is unavailable from other non-confidential sources;~~and~~

(C) a subpoena issued by a judicial or administrative officer or competent jurisdiction has been submitted to the commissioner; and

(D) *the privacy of a qualified policyholder shall be protected in any court proceeding concerning such qualified policyholder if the technology-enabled fiduciary financial institution insurance company so petitions the court. Upon the filing of such petition, any information, including, but not limited to, an instrument, inventory, statement or verified report produced by the technology-enabled fiduciary financial institution insurance company regarding a policy issued to a qualified policyholder or payment-in-kind assets held by the technology-enabled fiduciary financial institution insurance company to satisfy claims of such qualified policyholder, all payment-in-kind policies, all petitions relevant to such information and all court orders thereon, shall be sealed upon filing and shall not be made a part of the public record of the proceeding, except that such petition shall be available to the court, the commissioner, the technology-enabled fiduciary financial institution insurance company, their attorneys and to such other interested persons as the court may order upon a showing of good cause;*

(2) the commissioner may disclose such information to a public officer having jurisdiction over the regulation of insurance in another state, provided that:

(A) Such public official shall agree in writing to maintain the confidentiality of such information; and

(B) the laws of the state in which such public official serves requires such information to be and to remain confidential;~~and~~

(3) access may also be granted to the national association of insurance commissioners and its affiliates, and the international association of

supervisors and its affiliates. Such parties must agree in writing prior to receiving the information to provide to it the same confidential treatment as required by this section, unless the company gives prior written consent; and

(4) *the privacy of those who have established an affiliated fidfin trust or alternative asset custody account shall be protected in any court proceeding concerning such trust or custody account if the acting trustee, custodian, trustor or any beneficiary so petition the court. Upon the filing of such a petition, the instrument, inventory, statement filed by any trustee or custodian, annual verified report of the trustee or custodian and all petitions relevant to trust administration and all court orders thereon shall be sealed upon filing and shall not be made a part of the public record of the proceeding, except that such petition shall be available to the court, the trustor, the trustee, the custodian, any beneficiary, their attorneys and to such other interested persons as the court may order upon a showing of good cause.*

Sec. 4. K.S.A. 40-4303 is hereby amended to read as follows: 40-4303.

(a) The word “captive” shall be incorporated into the name of every captive insurance company organized under the laws of this state. No captive insurance company shall adopt a name that is the same, deceptively similar or likely to be confused with or mistaken for any other existing business name registered in the state of Kansas.

(b) *The provisions of subsection (a) shall not apply to a technology-enabled fiduciary finance insurance company if such insurance company complies with the provisions of section 1(d), and amendments thereto.*

Sec. 5. K.S.A. 40-4310 is hereby amended to read as follows: 40-4310.

(a) Captive insurance companies shall comply with:

(1) *Except for any payment-in-kind assets held by a technology-enabled fiduciary financial institution insurance company, the investment requirements contained in articles 2a and 2b of chapter 40 of the Kansas Statutes Annotated, and amendments thereto, as applicable; and*

(2) *such investment requirements as may otherwise be approved by the commissioner upon application by any such captive insurance company.*

(b) Investments of association captive insurance companies shall be valued in accordance with the valuation procedures established by the national association of insurance commissioners, except to the extent it is inconsistent with the accounting standards in use by the company and approved by the commissioner.

(c) *Insurance companies organized in a jurisdiction other than Kansas and Kansas technology-enabled fiduciary financial institution insurance companies may hold in-kind assets in accordance with section 1, and amendments thereto, and any such in-kind assets required to be held shall be counted as part of the reserves, capital and surplus of such insurance*

companies required for the primary and predominant business activity of the writing of insurance or the reinsuring of risks underwritten by technology-enabled fiduciary financial institution insurance companies.

(d) A technology-enabled fiduciary financial institution insurance company shall be permitted to hold equity interests in an affiliated technology-enabled fiduciary financial institution.

Sec. 6. K.S.A. 40-4353 is hereby amended to read as follows: 40-4353. K.S.A. 40-4301 through 40-4304, 40-4306 through 40-4315, 40-4317 ~~and 40-4318 and K.S.A. 40-4319~~ through 40-4353, and amendments thereto, *and section 1, and amendments thereto*, shall be known and may be cited as the captive insurance act.

Sec. 7. K.S.A. 40-4301, 40-4302, 40-4303, 40-4310 and 40-4353 are hereby repealed.

Sec. 8. This act shall take effect and be in force from and after its publication in the Kansas register.

Approved April 7, 2022.

Published in the *Kansas Register* April 14, 2022.

CHAPTER 30

HOUSE BILL No. 2568

AN ACT concerning financial institutions; relating to the Kansas mortgage business act; authorizing certain mortgage business to be conducted at remote locations; establishing procedures and requirements for license and registration renewal or reinstatement; adjusting surety bond requirements; providing for evidence of solvency and net worth; requiring notice to commissioner when adding or closing any branch office; amending K.S.A. 9-2215 and K.S.A. 2021 Supp. 9-2201, 9-2203, 9-2204, 9-2205, 9-2208 and 9-2211 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2021 Supp. 9-2201 is hereby amended to read as follows: 9-2201. As used in this act:

(a) ~~“Application” means the submission of a consumer’s financial information, including the consumer’s name, income and social security number to obtain a credit report, the property address, an estimate of the value of the property and the mortgage loan amount sought, for the purpose of obtaining an extension of credit.~~

(b) ~~“Bona fide office” means an applicant’s or licensee’s place of business with an office that:~~

- ~~(1) Is located in this state;~~
- ~~(2) is not located in a personal residence;~~
- ~~(3) has regular hours of operation;~~
- ~~(4) is accessible to the public;~~
- ~~(5) is leased or owned by the licensee and serves as an office for the transaction of the licensee’s mortgage business;~~
- ~~(6) is separate from any office of another registrant; and~~
- ~~(7) is accessible to all of the licensee’s books, records and documents.~~

(e) ~~“Branch office” means a place of business, other than a principal place of business, where mortgage business is conducted and which is licensed as required by this act~~ *the mortgage company maintains a physical location for the purpose of conducting mortgage business with the public.*

~~(d)~~(b) ~~“Commissioner” means the state bank commissioner or designee, who shall be the deputy commissioner of the consumer and mortgage lending division of the office of the state bank commissioner.~~

~~(e)~~(c) ~~“Individual” means a human being.~~

~~(f)~~(d) ~~“License” means a license issued by the commissioner to engage in mortgage business as a mortgage company.~~

~~(g)~~(e) ~~“Licensee” means a person who is licensed by the commissioner as a mortgage company.~~

~~(h)~~(f) ~~“Loan originator” means an individual:~~

- (1) Who engages in mortgage business on behalf of a single mortgage company;

(2) whose conduct of mortgage business is the responsibility of the licensee;

(3) who takes a residential mortgage loan application or offers or negotiates terms of a residential mortgage loan for compensation or gain or in the expectation of compensation or gain; and

(4) whose job responsibilities include contact with borrowers during the loan origination process, which can include soliciting, negotiating, acquiring, arranging or making mortgage loans for others, obtaining personal or financial information, assisting with the preparation of *mortgage* loan applications or other documents, quoting loan rates or terms or providing required disclosures. It does not include any individual engaged solely as a loan processor or underwriter.

(i)(g) “Loan processor or underwriter” means an individual who performs clerical or support duties as an employee at the direction and subject to the supervision and instruction of a person registered or exempt from registration under this act.

(1) For purposes of this subsection, the term “clerical or support duties” may include subsequent to the receipt of ~~an~~ a *mortgage loan* application:

(A) The receipt, collection, distribution and analysis of information common for the processing or underwriting of a residential mortgage loan; and

(B) communicating with a consumer to obtain the information necessary for the processing or underwriting of a loan, to the extent that such communication does not include offering or negotiating loan rates or terms or counseling consumers about residential mortgage loan rates or terms.

(2) An individual engaging solely in loan processor or underwriter activities shall not represent to the public, through advertising or other means of communicating or providing information including the use of business cards, stationery, brochures, signs, rate lists or other promotional items, that such individual can or will perform any of the activities of a loan originator.

(j)(h) “Mortgage business” means engaging in, or holding out to the public as willing to engage in, for compensation or gain, or in the expectation of compensation or gain, directly or indirectly, the business of making, originating, servicing, soliciting, placing, negotiating, acquiring, selling, arranging for others, or holding the rights to or offering to solicit, place, negotiate, acquire, sell or arrange for others, mortgage loans in the primary market.

(k)(i) “Mortgage company” means a person engaged in mortgage business from a principal place of business or branch office, which has been licensed as required by this act.

~~(d)~~(j) “Mortgage loan” means a loan or agreement to extend credit made to one or more individuals which is secured by a first or subordinate mortgage, deed of trust, contract for deed or other similar instrument or document representing a security interest or lien, except as provided for in K.S.A. 60-1101 through 60-1110, and amendments thereto, upon any lot intended for residential purposes or a one-to-four family dwelling as defined in 15 U.S.C. § 1602(w), located in this state, occupied or intended to be occupied for residential purposes by the owner, including the renewal or refinancing of any such loan.

~~(m)~~(k) *“Mortgage loan application” means the submission of a consumer’s financial information, including, but not limited to, the consumer’s name, income and social security number, to obtain a credit report, the property address, an estimate of the value of the property and the mortgage loan amount sought for the purpose of obtaining an extension of credit.*

(l) “Mortgage servicer” means any person engaged in mortgage servicing.

~~(n)~~(m) “Mortgage servicing” means collecting payment, remitting payment for another or the right to collect or remit payment of any of the following: Principal; interest; tax; insurance; or other payment under a mortgage loan.

~~(o)~~(n) “Nationwide mortgage licensing system and registry” means a mortgage licensing system developed and maintained by the conference of state bank supervisors and the American association of residential mortgage regulators for the licensing and registration of mortgage loan originators.

~~(p)~~(o) “Not-for-profit” means a business entity that is granted tax exempt status by the internal revenue service.

~~(q)~~(p) “Person” means any individual, sole proprietorship, corporation, partnership, trust, association, joint venture, pool syndicate, unincorporated organization or other form of entity, however organized.

~~(r)~~(q) “Primary market” means the market wherein mortgage business is conducted including activities conducted by any person who assumes or accepts any mortgage business responsibilities of the original parties to the transaction.

~~(s)~~(r) “Principal place of business” means a ~~licensed~~ place of business where mortgage business is conducted, which has been designated by a licensee as the primary headquarters from which all mortgage business and administrative activities are managed and directed.

~~(t)~~(s) “Promotional items” means pens, pencils, hats and other such novelty items.

~~(u)~~(t) “Registrant” means any individual who holds a valid registration to conduct mortgage business in this state as a loan originator.

(u) *“Remote location” means a location other than the principal place of business or a branch office where a licensed mortgage company’s employee or independent contractor is authorized by such company to engage in mortgage business. A remote location is not considered a branch office.*

(v) *“Unique identifier” means a number or other identifier assigned by protocols established by the nationwide mortgage licensing system and registry.*

Sec. 2. K.S.A. 2021 Supp. 9-2203 is hereby amended to read as follows: 9-2203. (a) Mortgage business shall only be conducted in this state ~~at or from by a licensed mortgage company licensed by the commissioner as required by this act.~~ A licensee shall be responsible for all mortgage business conducted on ~~their~~ such licensee’s behalf by any person, including loan originators ~~or other, employees or independent contractors.~~

(b) Mortgage business involving loan origination shall only be conducted in this state by an individual who has first been registered with the commissioner as a loan originator as required by this act and maintains a valid unique identifier issued by the nationwide mortgage licensing system and registry, if operational at the time of registration.

(c) ~~Loan origination shall only be conducted at or from a mortgage company and a~~ A registrant shall only engage in mortgage business on behalf of one *licensed mortgage company.*

(d) *Mortgage business may be conducted at a remote location, if:*

(1) *The licensed mortgage company’s employees or independent contractors do not meet with the public at a personal residence;*

(2) *no physical business records are maintained at the remote location;*

(3) *the licensed mortgage company has written policies and procedures for working at a remote location and such company supervises and enforces such policies and procedures;*

(4) *the licensed mortgage company maintains the computer system and customer information in accordance with the company’s information technology security plan and all state and federal laws;*

(5) *any device used to engage in mortgage business has appropriate security, encryption and device management controls to ensure the security and confidentiality of customer information as required by rules and regulations adopted by the commissioner;*

(6) *the licensed mortgage company’s employees or independent contractors take reasonable precautions to protect confidential information in accordance with state and federal laws; and*

(7) *the licensed mortgage company annually reviews and certifies that the employees or independent contractors engaged in mortgage business at remote locations meet the requirements of this section. Upon request, a licensee shall provide written documentation of such licensee’s review to the commissioner.*

(e) Nothing under this act shall require a licensee to obtain any other license under any other act for the sole purpose of conducting non-depository mortgage business.

(e)(f) Any person who willfully or knowingly violates any of the provisions of this act, any rule and regulation adopted or order issued under this act commits a severity level 7 nonperson felony. A second or subsequent conviction of this act, regardless of its location on the sentencing grid block, shall have a presumptive sentence of imprisonment.

(f)(g) No prosecution for any crime under this act may be commenced more than five years after the alleged violation. A prosecution is commenced when a complaint or information is filed, or an indictment returned, and a warrant thereon is delivered to the sheriff or other officer for execution, except that no prosecution shall be deemed to have been commenced if the warrant so issued is not executed without unreasonable delay.

(g)(h) Nothing in this act limits the power of the state to punish any person for any conduct which constitutes a crime by statute.

Sec. 3. K.S.A. 2021 Supp. 9-2204 is hereby amended to read as follows: 9-2204. (a) Any person required to be licensed as a mortgage company pursuant to this act shall submit to the commissioner ~~a separate an application for the principal place of business and each branch office mortgage company~~ on forms prescribed and provided by the commissioner. The application ~~or applications~~ shall contain information the commissioner deems necessary to adequately identify:

(1) The nature of the mortgage business to be conducted, principal place of business address and each branch office address;

(2) the identity, character and qualifications of an individual applicant;

(3) the identity, character and qualifications of the loan originators, owners, officers, directors, members, partners and employees of the applicant;

(4) the name under which the applicant intends to conduct business; and

(5) other information the commissioner requires to evaluate the financial responsibility and condition, character, qualifications and fitness of the applicant and compliance with the provisions of this act.

(b) Any individual required to register as a loan originator pursuant to this act shall submit to the commissioner an application for registration on forms prescribed and provided by the commissioner. The application shall contain information the commissioner deems necessary to adequately identify the location where the individual engages in mortgage business activities, the licensee for whom the registrant will conduct mortgage business and other information the commissioner requires to evaluate the condition, character, qualifications, and fitness of the applicant and compliance with the provisions of this act.

(c) Each application shall be accompanied by a nonrefundable fee of not less than \$50, which may be increased by rules and regulations pursuant to K.S.A. 9-2209, and amendments thereto.

(d) The commissioner shall consider an application for a license or registration abandoned if the applicant fails to complete the application within 60 days after the commissioner provides the applicant with written notice of the incomplete application. An applicant whose application is abandoned under this section may reapply to obtain a license or registration and shall pay the fee set forth in subsection (c) upon such application.

(e) An application shall be approved, and a nonassignable license or registration shall be issued to the applicant ~~provided if:~~

(1) The commissioner has received the complete application and fee required by this section;

(2) the commissioner determines the proposed name under which an applicant for a mortgage company license intends to conduct business is not misleading or otherwise deceptive; and

(3) the commissioner determines the financial responsibility and condition, character, qualifications and fitness of the applicant warrants a belief that the business of the applicant will be conducted competently, honestly, fairly and in accordance with all applicable state and federal laws.

Sec. 4. K.S.A. 2021 Supp. 9-2205 is hereby amended to read as follows: 9-2205. (a) A license or registration shall become effective as of the date specified in writing by the commissioner.

~~(b) A license shall be renewed annually by filing with the commissioner, at least 30 days prior to the expiration of the license, a renewal application, containing information the commissioner requires to determine the existence of material changes from the information contained in the applicant's original license application or prior renewal applications. Each license and registration shall expire on December 31 of each year. A license or registration shall be renewed by filing with the commissioner a complete renewal application and nonrefundable renewal fee by December 1 of each year.~~

(c) A registration shall be renewed annually by filing with the commissioner, at least 30 days prior to the expiration of the registration, a renewal application, containing information the commissioner requires to determine the existence of material changes from the information contained in the applicant's original registration application or prior renewal applications, including the completion of any continuing education requirements. *Renewal applications received after December 1 of each year and incomplete renewal applications as of December 1 of each year may be assessed a late fee.*

~~(d) Each renewal application shall be accompanied by a nonrefundable fee which shall be established by rules and regulations pursuant to~~

~~K.S.A. 9-2209, and amendments thereto.~~ *An expired license or registration may be reinstated through the last day of February of each year, with the same force and effect as if the license or registration had not expired and had at all times remained in full force and effect, by filing a reinstatement application and paying the appropriate application and late fees.*

(e) Any renewal or reinstatement application received by the commissioner after the ~~expiration date of the current license or registration~~ *last day of February of each year* shall be treated as an original application and shall be subject to all reporting and fee requirements contained in K.S.A. 9-2204, and amendments thereto.

(f) *The commissioner may designate late fees paid under this section for consumer education to be expended for such purpose as directed by the commissioner.*

Sec. 5. K.S.A. 2021 Supp. 9-2208 is hereby amended to read as follows: 9-2208. (a) Each licensee shall make available ~~the evidence of licensure of each licensed location~~ in a way that reasonably assures recognition by consumers and members of the general public.

(b) Prior to entering into any contract for the provision of services or prior to the licensee receiving any compensation or promise of compensation for a mortgage loan the licensee shall acquire from the consumer a signed acknowledgment containing such information as the commissioner may prescribe by rule and regulation. The signed acknowledgment shall be retained by the licensee and a copy shall be provided to the consumer.

(c) All solicitations and published advertisements concerning mortgage business directed at Kansas residents, including those on the internet or by other electronic means, shall contain the name and license number or unique identifier of the licensee on record with the commissioner. Each licensee shall maintain a record of all solicitations or advertisements for a period of 36 months. For the purpose of this subsection, “advertising” does not include business cards or promotional items.

(d) No solicitation or advertisement shall contain false, misleading or deceptive information, or indicate or imply that the interest rates or charges stated are “recommended,” “approved,” “set” or “established” by the state of Kansas.

(e) No licensee or registrant shall conduct mortgage business in this state using any name other than the name or names stated on their license or registration.

Sec. 6. K.S.A. 2021 Supp. 9-2211 is hereby amended to read as follows: 9-2211. (a) Each applicant or licensee ~~who maintains a bona fide office~~ shall file with the commissioner a surety bond in the amount of not less than ~~\$50,000~~ \$100,000, in a form acceptable to the commissioner, issued by an insurance company authorized to conduct business in this

state, securing the applicant's or licensee's faithful performance of all duties and obligations of a licensee meeting the following requirements:

(1) The bond shall be payable to the office of the state bank commissioner and shall be in an amount established by the commissioner by rules and regulations adopted pursuant to K.S.A. 9-2209, and amendments thereto;

(2) the terms of the bond shall provide that it may not be terminated without 30 days prior written notice to the commissioner, ~~provided except~~ that such termination shall not affect the surety's liability for violations of the Kansas mortgage business act occurring prior to the effective date of cancellation and principal and surety shall be and remain liable for a period of two years from the date of any action or inaction of principal that gives rise to a claim under the bond; and

(3) the bond shall be available for the recovery of expenses, fines and fees levied by the commissioner under this act, and for losses or damages ~~which~~ *that* are determined by the commissioner to have been incurred by any borrower or consumer as a result of the applicant's or licensee's failure to comply with the requirements of this act.

(b) ~~Each applicant or licensee who does not maintain a bona fide office shall comply with both of the following:~~

~~(1) File with the commissioner a surety bond in the amount of not less than \$100,000, in a form acceptable to the commissioner, issued by an insurance company authorized to conduct business in this state, securing the applicant's or licensee's faithful performance of all duties and obligations of a licensee meeting the requirements set forth in subsections (a)(1), (a)(2) and (a)(3) of this section; and~~

~~(2) submit evidence that establishes, to the commissioner's satisfaction, that the applicant or licensee is solvent and shall at all times maintain a minimum positive net worth of \$50,000. Evidence of solvency and net worth shall include the submission of a balance sheet of the applicant or a consolidated financial statement of the entity that owns or controls the applicant accompanied by a written statement by an independent certified public accountant attesting that the balance sheet or the consolidated financial statement has been reviewed in accordance with generally accepted accounting principles. Should the applicant or licensee choose a different accounting system other than generally accepted accounting principles, the burden to demonstrate that the accounting principles meet or exceed the generally accepted accounting principles shall be on the applicant or licensee using the alternate accounting principle method.~~

Sec. 7. K.S.A. 9-2215 is hereby amended to read as follows: 9-2215.

(a) A licensee shall provide written notice to the commissioner within 10 business days of the occurrence of any of the following events:

(1) The closing or relocation of the principal place of business or ~~any~~ *the addition or closing of any* branch office;

(2) a change in the licensee's name or legal entity status; or

(3) the addition or loss of any loan originator, owner, officer, partner or director.

(b) The commissioner may request additional information concerning any written notice received pursuant to subsection (a) and charge a reasonable fee for any action required by the commissioner as a result of such notice and additional information.

Sec. 8. K.S.A. 9-2215 and K.S.A. 2021 Supp. 9-2201, 9-2203, 9-2204, 9-2205, 9-2208 and 9-2211 are hereby repealed.

Sec. 9. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 7, 2022.

CHAPTER 31

HOUSE BILL No. 2608
(Amended by Chapter 88)

AN ACT concerning judgments; relating to criminal restitution; removing civil enforcement provisions; authorizing contracts for collection services for restitution; wage garnishment; providing that undisputed payments are not subject to refund or recoupment; amending K.S.A. 2021 Supp. 20-169, 21-6604, 22-3424, 60-2310 and 60-2403 and repealing the existing sections; also repealing K.S.A. 60-4301, 60-4302, 60-4303 and 60-4304 and K.S.A. 2021 Supp. 60-4305.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2021 Supp. 20-169 is hereby amended to read as follows: 20-169. (a) The judicial administrator is authorized to enter into contracts in accordance with this section for collection services for debts owed to courts or restitution owed under an order of restitution. On and after July 1, 1999, the cost of collection shall be paid by the responsible party as an additional court cost in all cases where such party fails to pay any debts owed to courts or restitution owed under an order of restitution and the court utilizes the services of a contracting agent pursuant to this section. The cost of collection shall be deemed an administrative fee to pay the actual costs of collection made necessary by such party's failure to pay court debt and restitution.

(b) As used in this section:

(1) "Beneficiary under an order of restitution" means the victim or victims of a crime to whom a district court has ordered restitution be paid;

(2) "contracting agent" means a person, firm, agency or other entity who contracts hereunder to provide collection services;

(3) "cost of collection" means the fee specified in contracts hereunder to be paid to or retained by a contracting agent for collection services. Cost of collection also includes any filing fee required under K.S.A. 60-4303, and amendments thereto, or administrative costs prescribed by rules of the supreme court; and

(4) "debts owed to courts" means any assessment of court costs, fines, fees, moneys expended by the state in providing counsel and other defense services to indigent defendants or other charges which a district court judgment has ordered to be paid to the court, and which remain unpaid in whole or in part, and includes any interest or penalties on such unpaid amounts as provided for in the judgment or by law. "Debts owed to courts" also includes: (A) The cost of collection when collection services of a contracting agent hereunder are utilized; and (B) court costs, fines, fees or other charges arising from failure to comply with a traffic citation within 30 days from the date of the mailing of the notice pursuant to K.S.A. 8-2110(b)(1), and amendments thereto.

(c) (1) Contracts authorized by this section may be entered into with state or federal agencies or political subdivisions of the state of Kansas,

including contracts for participation in the collection program authorized by K.S.A. 75-6201 et seq., and amendments thereto. Such contracts also may be entered into with private firms or individuals selected by a procurement negotiation committee in accordance with K.S.A. 75-37,102, and amendments thereto, except that the judicial administrator shall designate a representative to serve as the chief administrative officer member of such committee and that the other two members of such committee shall be designated by the director of purchases and the judicial administrator.

(2) Prior to negotiating any contract for collection services, this procurement negotiation committee shall advertise for proposals, negotiate with firms and individuals submitting proposals and select among those submitting such proposals the party or parties to contract with for the purpose of collection services.

(3) The supreme court may adopt rules as deemed appropriate for the administration of this section, including procedures to be used in the negotiation and execution of contracts pursuant to this section and procedures to be followed by those who utilize collection services under such contracts.

(4) For purposes of this section, the agencies, firms or individuals with whom contracts are entered under this section shall be known as contracting agents. The judicial administrator shall publish a list of the contracting agents for use by courts or beneficiaries under orders of restitution who desire to utilize the collection services of such agents.

(5) Each contract entered pursuant to this section shall provide for a fee to be paid to or retained by the contracting agent for collection services. Such fee shall be designated as the cost of collection hereunder, and shall not exceed 33% of the amount collected. The cost of collection shall be paid from the amount collected, but shall not be deducted from the debts owed to courts or restitution. If a contracting agent uses the debt setoff procedures pursuant to K.S.A. 75-6202 et seq., and amendments thereto, to recover debts owed to the courts, the contracting agent's cost of collection for debt recovered through that program shall be the amount established by contract minus the collection assistance fee imposed by the director of accounts and reports of the department of administration pursuant to K.S.A. 75-6210, and amendments thereto.

(d) Judicial districts of the state of Kansas are authorized to utilize the collection services of contracting agents pursuant to this section for the purpose of collecting all outstanding debts owed to courts. Subject to rules and orders of the Kansas supreme court, each judicial district may establish by local rule guidelines for the compromise of court costs, fines, attorney fees and other charges assessed in district court cases.

(e) *Judicial districts of the state of Kansas are authorized to utilize the collection services of contracting agents pursuant to this section for the purpose of collecting restitution owed under an order of restitution.*

Any beneficiary under an order of restitution entered by a court ~~after this section takes effect~~ is authorized to utilize the collection services of contracting agents pursuant to this section for the purpose of collecting all outstanding amounts owed under such order of restitution.

(f) Contracts entered hereunder shall provide for the payment of any amounts collected to the clerk of the district court for the court in which the debt being collected originated, after first deducting the collection fee. In accounting for amounts collected from any person pursuant to this section, the district court clerk shall credit the person's amount owed in the amount of the net proceeds collected and shall not reduce the amount owed by any person by that portion of any payment which constitutes the cost of collection pursuant to this section.

(g) With the appropriate cost of collection paid to the contracting agent as agreed upon in the contract hereunder, the clerk shall then distribute amounts collected hereunder as follows:

(1) When collection services are utilized pursuant to subsection (d), all amounts shall be applied against the debts owed to the court as specified in the original judgment creating the debt;

(2) when collection services are utilized pursuant to subsection (e), all amounts shall be paid to the beneficiary under the order of restitution designated to receive such restitution, except where that beneficiary has received recovery from the Kansas crime victims compensation board and such board has subrogation rights pursuant to K.S.A. 74-7312, and amendments thereto, in which case all amounts shall be paid to the board until its subrogation lien is satisfied.

(h) Whenever collection services are being utilized against the same debtor pursuant to both subsections (d) and (e), any amounts collected by a contracting agent shall be first applied to satisfy subsection (e) debts, debts pursuant to an order of restitution. Upon satisfaction of all such debts, amounts received from the same debtor shall then be applied to satisfy subsection (d) debts, debts owed to courts.

Sec. 2. K.S.A. 2021 Supp. 21-6604 is hereby amended to read as follows: 21-6604. (a) Whenever any person has been found guilty of a crime, the court may adjudge any of the following:

(1) Commit the defendant to the custody of the secretary of corrections if the current crime of conviction is a felony and the sentence presumes imprisonment, or the sentence imposed is a dispositional departure to imprisonment; or, if confinement is for a misdemeanor, to jail for the term provided by law;

(2) impose the fine applicable to the offense and may impose the provisions of subsection (q);

(3) release the defendant on probation if the current crime of conviction and criminal history fall within a presumptive nonprison category

or through a departure for substantial and compelling reasons subject to such conditions as the court may deem appropriate. In felony cases except for violations of K.S.A. 8-1567 or 8-2,144, and amendments thereto, the court may include confinement in a county jail not to exceed 60 days, which need not be served consecutively, as a condition of an original probation sentence;

(4) assign the defendant to a community correctional services program as provided in K.S.A. 75-5291, and amendments thereto, or through a departure for substantial and compelling reasons subject to such conditions as the court may deem appropriate, including orders requiring full or partial restitution;

(5) assign the defendant to a conservation camp for a period not to exceed six months as a condition of probation followed by a six-month period of follow-up through adult intensive supervision by a community correctional services program, if the offender successfully completes the conservation camp program;

(6) assign the defendant to a house arrest program pursuant to K.S.A. 2021 Supp. 21-6609, and amendments thereto;

(7) order the defendant to attend and satisfactorily complete an alcohol or drug education or training program as provided by K.S.A. 2021 Supp. 21-6602(c), and amendments thereto;

(8) order the defendant to repay the amount of any reward paid by any crime stoppers chapter, individual, corporation or public entity that materially aided in the apprehension or conviction of the defendant; repay the amount of any costs and expenses incurred by any law enforcement agency in the apprehension of the defendant, if one of the current crimes of conviction of the defendant includes escape from custody or aggravated escape from custody, as defined in K.S.A. 2021 Supp. 21-5911, and amendments thereto; repay expenses incurred by a fire district, fire department or fire company responding to a fire that has been determined to be arson or aggravated arson as defined in K.S.A. 2021 Supp. 21-5812, and amendments thereto, if the defendant is convicted of such crime; repay the amount of any public funds utilized by a law enforcement agency to purchase controlled substances from the defendant during the investigation that leads to the defendant's conviction; or repay the amount of any medical costs and expenses incurred by any law enforcement agency or county. Such repayment of the amount of any such costs and expenses incurred by a county, law enforcement agency, fire district, fire department or fire company or any public funds utilized by a law enforcement agency shall be deposited and credited to the same fund from which the public funds were credited to prior to use by the county, law enforcement agency, fire district, fire department or fire company;

(9) order the defendant to pay the administrative fee authorized by K.S.A. 22-4529, and amendments thereto, unless waived by the court;

(10) order the defendant to pay a domestic violence special program fee authorized by K.S.A. 20-369, and amendments thereto;

(11) if the defendant is convicted of a misdemeanor or convicted of a felony specified in K.S.A. 2021 Supp. 21-6804(i), and amendments thereto, assign the defendant to work release program, other than a program at a correctional institution under the control of the secretary of corrections as defined in K.S.A. 75-5202, and amendments thereto, provided such work release program requires such defendant to return to confinement at the end of each day in the work release program. On a second or subsequent conviction of K.S.A. 8-1567, and amendments thereto, an offender placed into a work release program shall serve the total number of hours of confinement mandated by that section;

(12) order the defendant to pay the full amount of unpaid costs associated with the conditions of release of the appearance bond under K.S.A. 22-2802, and amendments thereto;

(13) impose any appropriate combination of *paragraph* (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11) and (12); or

(14) suspend imposition of sentence in misdemeanor cases.

(b) (1) In addition to or in lieu of any of the above, the court shall order the defendant to pay restitution, which shall include, but not be limited to, damage or loss caused by the defendant's crime. Restitution shall be due immediately unless: (A) The court orders that the defendant be given a specified time to pay or be allowed to pay in specified installments; or (B) the court finds compelling circumstances that would render restitution unworkable, either in whole or in part. In regard to a violation of K.S.A. 2021 Supp. 21-6107, and amendments thereto, such damage or loss shall include, but not be limited to, attorney fees and costs incurred to repair the credit history or rating of the person whose personal identification documents were obtained and used in violation of such section, and to satisfy a debt, lien or other obligation incurred by the person whose personal identification documents were obtained and used in violation of such section. In regard to a violation of K.S.A. 2021 Supp. 21-5801, 21-5807, 21-5813 or 21-5818, and amendments thereto, such damage or loss shall include the cost of repair or replacement of the property that was damaged, the reasonable cost of any loss of production, crops and livestock, reasonable labor costs of any kind, reasonable material costs of any kind and any reasonable costs that are attributed to equipment that is used to abate or repair the damage to the property. If the court finds restitution unworkable, either in whole or in part, the court shall state on the record in detail the reasons therefor.

(2) If the court orders restitution, the restitution shall be a judgment against the defendant that may be collected by the court by garnishment

as provided in article 7 of chapter 60 of the Kansas Statutes Annotated, and amendments thereto, or other execution as on judgments in civil cases. If, after 60 days from the date restitution is ordered by the court, a defendant is found to be in noncompliance with the restitution order, and the victim to whom restitution is ordered paid has not initiated proceedings in accordance with K.S.A. 60-4301 et seq., and amendments thereto, the court shall assign an agent procured by the judicial administrator pursuant to K.S.A. 20-169, and amendments thereto, to collect the restitution on behalf of the victim. The chief judge of each judicial district may assign such cases to an appropriate division of the court for the conduct of civil collection proceedings.

(3) ~~If a restitution order entered prior to the effective date of this act~~ *June 11, 2020*, does not give the defendant a specified time to pay or set payment in specified installments, the defendant may file a motion with the court prior to December 31, 2020, proposing payment of restitution in specified installments. The court may recall the restitution order from the agent assigned pursuant to K.S.A. 20-169, and amendments thereto, until the court rules on such motion. If the court does not order payment in specified installments or if the defendant does not file a motion prior to December 31, 2020, the restitution shall be due immediately.

(c) In addition to or in lieu of any of the above, the court shall order the defendant to submit to and complete an alcohol and drug evaluation, and pay a fee therefor, when required by K.S.A. 2021 Supp. 21-6602(d), and amendments thereto.

(d) In addition to any of the above, the court shall order the defendant to reimburse the county general fund for all or a part of the expenditures by the county to provide counsel and other defense services to the defendant. Any such reimbursement to the county shall be paid only after any order for restitution has been paid in full. In determining the amount and method of payment of such sum, the court shall take account of the financial resources of the defendant and the nature of the burden that payment of such sum will impose. A defendant who has been required to pay such sum and who is not willfully in default in the payment thereof may at any time petition the court that sentenced the defendant to waive payment of such sum or any unpaid portion thereof. If it appears to the satisfaction of the court that payment of the amount due will impose manifest hardship on the defendant or the defendant's immediate family, the court may waive payment of all or part of the amount due or modify the method of payment.

(e) In releasing a defendant on probation, the court shall direct that the defendant be under the supervision of a court services officer. If the court commits the defendant to the custody of the secretary of corrections or to jail, the court may specify in its order the amount of restitution to be

paid and the person to whom it shall be paid if restitution is later ordered as a condition of parole, conditional release or postrelease supervision.

(f) (1) When a new felony is committed while the offender is incarcerated and serving a sentence for a felony, or while the offender is on probation, assignment to a community correctional services program, parole, conditional release or postrelease supervision for a felony, a new sentence shall be imposed consecutively pursuant to the provisions of K.S.A. 2021 Supp. 21-6606, and amendments thereto, and the court may sentence the offender to imprisonment for the new conviction, even when the new crime of conviction otherwise presumes a nonprison sentence. In this event, imposition of a prison sentence for the new crime does not constitute a departure.

(2) When a new felony is committed during a period of time when the defendant would have been on probation, assignment to a community correctional services program, parole, conditional release or postrelease supervision for a felony had the defendant not been granted release by the court pursuant to K.S.A. 2021 Supp. 21-6608(d), and amendments thereto, or the prisoner review board pursuant to K.S.A. 22-3717, and amendments thereto, the court may sentence the offender to imprisonment for the new conviction, even when the new crime of conviction otherwise presumes a nonprison sentence. In this event, imposition of a prison sentence for the new crime does not constitute a departure.

(3) When a new felony is committed while the offender is incarcerated in a juvenile correctional facility pursuant to K.S.A. 38-1671, prior to its repeal, or K.S.A. 38-2373, and amendments thereto, for an offense, which if committed by an adult would constitute the commission of a felony, upon conviction, the court shall sentence the offender to imprisonment for the new conviction, even when the new crime of conviction otherwise presumes a nonprison sentence. In this event, imposition of a prison sentence for the new crime does not constitute a departure. The conviction shall operate as a full and complete discharge from any obligations, except for an order of restitution, imposed on the offender arising from the offense for which the offender was committed to a juvenile correctional facility.

(4) When a new felony is committed while the offender is on release for a felony pursuant to the provisions of article 28 of chapter 22 of the Kansas Statutes Annotated, and amendments thereto, or similar provisions of the laws of another jurisdiction, a new sentence may be imposed consecutively pursuant to the provisions of K.S.A. 2021 Supp. 21-6606, and amendments thereto, and the court may sentence the offender to imprisonment for the new conviction, even when the new crime of conviction otherwise presumes a nonprison sentence. In this event, imposition of a prison sentence for the new crime does not constitute a departure.

(g) Prior to imposing a dispositional departure for a defendant whose offense is classified in the presumptive nonprison grid block of either sentencing guideline grid, prior to sentencing a defendant to incarceration whose offense is classified in grid blocks 5-H, 5-I or 6-G of the sentencing guidelines grid for nondrug crimes, in grid blocks 3-E, 3-F, 3-G, 3-H or 3-I of the sentencing guidelines grid for drug crimes committed prior to July 1, 2012, or in grid blocks 4-E, 4-F, 4-G, 4-H or 4-I of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, prior to sentencing a defendant to incarceration whose offense is classified in grid blocks 4-E or 4-F of the sentencing guidelines grid for drug crimes committed prior to July 1, 2012, or in grid blocks 5-C, 5-D, 5-E or 5-F of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, and whose offense does not meet the requirements of K.S.A. 2021 Supp. 21-6824, and amendments thereto, prior to revocation of a nonprison sanction of a defendant whose offense is classified in grid blocks 4-E or 4-F of the sentencing guidelines grid for drug crimes committed prior to July 1, 2012, or in grid blocks 5-C, 5-D, 5-E or 5-F of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, and whose offense does not meet the requirements of K.S.A. 2021 Supp. 21-6824, and amendments thereto, or prior to revocation of a nonprison sanction of a defendant whose offense is classified in the presumptive nonprison grid block of either sentencing guideline grid or grid blocks 5-H, 5-I or 6-G of the sentencing guidelines grid for nondrug crimes, in grid blocks 3-E, 3-F, 3-G, 3-H or 3-I of the sentencing guidelines grid for drug crimes committed prior to July 1, 2012, or in grid blocks 4-E, 4-F, 4-G, 4-H or 4-I of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, the court shall consider placement of the defendant in the Labette correctional conservation camp, conservation camps established by the secretary of corrections pursuant to K.S.A. 75-52,127, and amendments thereto, or a community intermediate sanction center. Pursuant to this subsection the defendant shall not be sentenced to imprisonment if space is available in a conservation camp or community intermediate sanction center and the defendant meets all of the conservation camp's or community intermediate sanction center's placement criteria unless the court states on the record the reasons for not placing the defendant in a conservation camp or community intermediate sanction center.

(h) In committing a defendant to the custody of the secretary of corrections, the court shall fix a term of confinement within the limits provided by law. In those cases where the law does not fix a term of confinement for the crime for which the defendant was convicted, the court shall fix the term of such confinement.

(i) In addition to any of the above, the court shall order the defendant to reimburse the state general fund for all or part of the expenditures by the

state board of indigents' defense services to provide counsel and other defense services to the defendant. In determining the amount and method of payment of such sum, the court shall take account of the financial resources of the defendant and the nature of the burden that payment of such sum will impose. A defendant who has been required to pay such sum and who is not willfully in default in the payment thereof may at any time petition the court that sentenced the defendant to waive payment of such sum or any unpaid portion thereof. If it appears to the satisfaction of the court that payment of the amount due will impose manifest hardship on the defendant or the defendant's immediate family, the court may waive payment of all or part of the amount due or modify the method of payment. The amount of attorney fees to be included in the court order for reimbursement shall be the amount claimed by appointed counsel on the payment voucher for indigents' defense services or the amount prescribed by the board of indigents' defense services reimbursement tables as provided in K.S.A. 22-4522, and amendments thereto, whichever is less.

(j) This section shall not deprive the court of any authority conferred by any other Kansas statute to decree a forfeiture of property, suspend or cancel a license, remove a person from office or impose any other civil penalty as a result of conviction of crime.

(k) An application for or acceptance of probation or assignment to a community correctional services program shall not constitute an acquiescence in the judgment for purpose of appeal, and any convicted person may appeal from such conviction, as provided by law, without regard to whether such person has applied for probation, suspended sentence or assignment to a community correctional services program.

(l) The secretary of corrections is authorized to make direct placement to the Labette correctional conservation camp or a conservation camp established by the secretary pursuant to K.S.A. 75-52,127, and amendments thereto, of an inmate sentenced to the secretary's custody if the inmate:

(1) Has been sentenced to the secretary for a probation revocation, as a departure from the presumptive nonimprisonment grid block of either sentencing grid, for an offense that is classified in grid blocks 5-H, 5-I or 6-G of the sentencing guidelines grid for nondrug crimes, in grid blocks 3-E, 3-F, 3-G, 3-H or 3-I of the sentencing guidelines grid for drug crimes committed prior to July 1, 2012, in grid blocks 4-E, 4-F, 4-G, 4-H or 4-I of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, or for an offense that is classified in grid blocks 4-E or 4-F of the sentencing guidelines grid for drug crimes committed prior to July 1, 2012, or in grid blocks 5-C, 5-D, 5-E or 5-F of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, and such offense does not meet the requirements of K.S.A. 2021 Supp. 21-6824, and amendments thereto; and

(2) otherwise meets admission criteria of the camp.

If the inmate successfully completes a conservation camp program, the secretary of corrections shall report such completion to the sentencing court and the county or district attorney. The inmate shall then be assigned by the court to six months of follow-up supervision conducted by the appropriate community corrections services program. The court may also order that supervision continue thereafter for the length of time authorized by K.S.A. 2021 Supp. 21-6608, and amendments thereto.

(m) When it is provided by law that a person shall be sentenced pursuant to K.S.A. 1993 Supp. 21-4628, prior to its repeal, the provisions of this section shall not apply.

(n) (1) Except as provided by K.S.A. 2021 Supp. 21-6630 and 21-6805(f), and amendments thereto, in addition to any of the above, for felony violations of K.S.A. 2021 Supp. 21-5706, and amendments thereto, the court shall require the defendant who meets the requirements established in K.S.A. 2021 Supp. 21-6824, and amendments thereto, to participate in a certified drug abuse treatment program, as provided in K.S.A. 75-52,144, and amendments thereto, including, but not limited to, an approved after-care plan. The amount of time spent participating in such program shall not be credited as service on the underlying prison sentence.

(2) If the defendant fails to participate in or has a pattern of intentional conduct that demonstrates the defendant's refusal to comply with or participate in the treatment program, as established by judicial finding, the defendant shall be subject to sanction or revocation pursuant to the provisions of K.S.A. 22-3716, and amendments thereto. If the defendant's probation is revoked, the defendant shall serve the underlying prison sentence as established in K.S.A. 2021 Supp. 21-6805, and amendments thereto.

(A) Except as provided in subsection (n)(2)(B), for those offenders who are convicted on or after July 1, 2003, but prior to July 1, 2013, upon completion of the underlying prison sentence, the offender shall not be subject to a period of postrelease supervision.

(B) Offenders whose crime of conviction was committed on or after July 1, 2013, and whose probation is revoked pursuant to K.S.A. 22-3716(c), and amendments thereto, or whose underlying prison term expires while serving a sanction pursuant to K.S.A. 22-3716(c)(1), and amendments thereto, shall serve a period of postrelease supervision upon the completion of the underlying prison term.

(o) (1) Except as provided in paragraph (3), in addition to any other penalty or disposition imposed by law, upon a conviction for unlawful possession of a controlled substance or controlled substance analog in violation of K.S.A. 2021 Supp. 21-5706, and amendments thereto, in which the

trier of fact makes a finding that the unlawful possession occurred while transporting the controlled substance or controlled substance analog in any vehicle upon a highway or street, the offender's driver's license or privilege to operate a motor vehicle on the streets and highways of this state shall be suspended for one year.

(2) Upon suspension of a license pursuant to this subsection, the court shall require the person to surrender the license to the court, which shall transmit the license to the division of motor vehicles of the department of revenue, to be retained until the period of suspension expires. At that time, the licensee may apply to the division for return of the license. If the license has expired, the person may apply for a new license, which shall be issued promptly upon payment of the proper fee and satisfaction of other conditions established by law for obtaining a license unless another suspension or revocation of the person's privilege to operate a motor vehicle is in effect.

(3) (A) In lieu of suspending the driver's license or privilege to operate a motor vehicle on the highways of this state of any person as provided in paragraph (1), the judge of the court in which such person was convicted may enter an order that places conditions on such person's privilege of operating a motor vehicle on the highways of this state, a certified copy of which such person shall be required to carry any time such person is operating a motor vehicle on the highways of this state. Any such order shall prescribe the duration of the conditions imposed, which in no event shall be for a period of more than one year.

(B) Upon entering an order restricting a person's license hereunder, the judge shall require such person to surrender such person's driver's license to the judge who shall cause it to be transmitted to the division of vehicles, together with a copy of the order. Upon receipt thereof, the division of vehicles shall issue without charge a driver's license, which shall indicate on its face that conditions have been imposed on such person's privilege of operating a motor vehicle and that a certified copy of the order imposing such conditions is required to be carried by the person for whom the license was issued any time such person is operating a motor vehicle on the highways of this state. If the person convicted is a nonresident, the judge shall cause a copy of the order to be transmitted to the division and the division shall forward a copy of it to the motor vehicle administrator of such person's state of residence. Such judge shall furnish to any person whose driver's license has had conditions imposed on it under this paragraph a copy of the order, which shall be recognized as a valid Kansas driver's license until such time as the division shall issue the restricted license provided for in this paragraph.

(C) Upon expiration of the period of time for which conditions are imposed pursuant to this subsection, the licensee may apply to the divi-

sion for the return of the license previously surrendered by such licensee. In the event such license has expired, such person may apply to the division for a new license, which shall be issued immediately by the division upon payment of the proper fee and satisfaction of the other conditions established by law, unless such person's privilege to operate a motor vehicle on the highways of this state has been suspended or revoked prior thereto. If any person shall violate any of the conditions imposed under this paragraph, such person's driver's license or privilege to operate a motor vehicle on the highways of this state shall be revoked for a period of not less than 60 days nor more than one year by the judge of the court in which such person is convicted of violating such conditions.

(4) As used in this subsection, "highway" and "street" mean the same as in K.S.A. 8-1424 and 8-1473, and amendments thereto.

(p) In addition to any of the above, for any criminal offense that includes the domestic violence designation pursuant to K.S.A. 2021 Supp. 22-4616, and amendments thereto, the court shall require the defendant to: (1) Undergo a domestic violence offender assessment conducted by a certified batterer intervention program; and (2) follow all recommendations made by such program, unless otherwise ordered by the court or the department of corrections. The court may order a domestic violence offender assessment and any other evaluation prior to sentencing if the assessment or evaluation would assist the court in determining an appropriate sentence. The entity completing the assessment or evaluation shall provide the assessment or evaluation and recommendations to the court and the court shall provide the domestic violence offender assessment to any entity responsible for supervising such defendant. A defendant ordered to undergo a domestic violence offender assessment shall be required to pay for the assessment and, unless otherwise ordered by the court or the department of corrections, for completion of all recommendations.

(q) In imposing a fine, the court may authorize the payment thereof in installments. In lieu of payment of any fine imposed, the court may order that the person perform community service specified by the court. The person shall receive a credit on the fine imposed in an amount equal to \$5 for each full hour spent by the person in the specified community service. The community service ordered by the court shall be required to be performed by the later of one year after the fine is imposed or one year after release from imprisonment or jail, or by an earlier date specified by the court. If by the required date the person performs an insufficient amount of community service to reduce to zero the portion of the fine required to be paid by the person, the remaining balance shall become due on that date. If conditional reduction of any fine is rescinded by the court for any reason, then pursuant to the court's order the person may be ordered to perform

community service by one year after the date of such rescission or by an earlier date specified by the court. If by the required date the person performs an insufficient amount of community service to reduce to zero the portion of the fine required to be paid by the person, the remaining balance of the fine shall become due on that date. All credits for community service shall be subject to review and approval by the court.

(r) In addition to any other penalty or disposition imposed by law, for any defendant sentenced to imprisonment pursuant to K.S.A. 21-4643, prior to its repeal, or K.S.A. 2021 Supp. 21-6627, and amendments thereto, for crimes committed on or after July 1, 2006, the court shall order that the defendant be electronically monitored upon release from imprisonment for the duration of the defendant's natural life and that the defendant shall reimburse the state for all or part of the cost of such monitoring as determined by the prisoner review board.

(s) Whenever the court has released the defendant on probation pursuant to subsection (a)(3), the defendant's supervising court services officer, with the concurrence of the chief court services officer, may impose the violation sanctions as provided in K.S.A. 22-3716(c)(1)(B), and amendments thereto, without further order of the court, unless the defendant, after being apprised of the right to a revocation hearing before the court pursuant to K.S.A. 22-3716(b), and amendments thereto, refuses to waive such right.

(t) Whenever the court has assigned the defendant to a community correctional services program pursuant to subsection (a)(4), the defendant's community corrections officer, with the concurrence of the community corrections director, may impose the violation sanctions as provided in K.S.A. 22-3716(c)(1)(B), and amendments thereto, without further order of the court unless the defendant, after being apprised of the right to a revocation hearing before the court pursuant to K.S.A. 22-3716(b), and amendments thereto, refuses to waive such right.

(u) In addition to any of the above, the court shall authorize an additional 18 days of confinement in a county jail to be reserved for sanctions as set forth in K.S.A. 22-3716(b)(3)(B), (b)(4) or (c)(1)(B), and amendments thereto.

(v) The amendments made to this section by *chapter 9 of the 2020 Session Laws of Kansas* and this act are procedural in nature and shall be construed and applied retroactively.

Sec. 3. K.S.A. 2021 Supp. 22-3424 is hereby amended to read as follows: 22-3424. (a) The judgment shall be rendered and sentence imposed in open court.

(b) If the verdict or finding is not guilty, judgment shall be rendered immediately and the defendant shall be discharged from custody and the obligation of the defendant's appearance bond.

(c) If the verdict or finding is guilty, judgment shall be rendered and sentence pronounced without unreasonable delay, allowing adequate time for the filing and disposition of post-trial motions and for completion of such presentence investigation as the court may require.

(d) (1) If the verdict or finding is guilty, upon request of the victim or the victim's family and before imposing sentence, the court shall hold a hearing to establish restitution. The defendant may waive the right to the hearing and accept the amount of restitution as established by the court. If the court orders restitution to be paid to the victim or the victim's family, the order shall be enforced as a judgment of restitution pursuant to ~~K.S.A. 60-4301 through 60-4304~~ 20-169, and amendments thereto, and *K.S.A. 2021 Supp. 21-6604(b)(2)*, and amendments thereto.

(2) (A) The court shall order a person convicted of human trafficking or aggravated human trafficking, K.S.A. 21-3446 or 21-3447, prior to their repeal, or K.S.A. 2021 Supp. 21-5426, and amendments thereto, or commercial sexual exploitation of a child, K.S.A. 2021 Supp. 21-6422, and amendments thereto, to pay restitution to the victim of the offense for:

(i) Expenses incurred or reasonably certain to be incurred by the victim as a result of the offense, including reasonable attorney fees and costs; and

(ii) an amount equal to three times the greatest of the following, with no reduction for expenses the defendant incurred to maintain the victim:

(a) The gross income to the defendant for, or the value to the defendant of, the victim's labor or services or sexual activity;

(b) the amount the defendant contracted to pay the victim; or

(c) the value of the victim's labor or services or sexual activity, calculated under the minimum wage and overtime provisions of the federal fair labor standards act, 29 U.S.C. § 201 et seq., or under K.S.A. 44-1203, and amendments thereto, whichever is higher, even if the provisions do not apply to the victim's labor or services or sexual activity.

(B) The court shall order restitution under subsection (d)(2) even if the victim is unavailable to accept payment of restitution.

(C) If the victim does not claim restitution ordered under subsection (d)(2) for five years after entry of the order, the restitution must be paid to the human trafficking victim assistance fund created by K.S.A. 75-758, and amendments thereto, to help victims.

(e) Before imposing sentence the court shall: (1) Allow the prosecuting attorney to address the court, if the prosecuting attorney so requests; (2) afford counsel an opportunity to speak on behalf of the defendant; (3) allow the victim or such members of the victim's family as the court deems appropriate to address the court, if the victim or the victim's family so requests; and (4) address the defendant personally and ask the defendant if the defendant wishes to make a statement on the defendant's own behalf and to present any evidence in mitigation of punishment.

(f) After imposing sentence in a case which has gone to trial on a plea of not guilty, the court shall advise the defendant of the defendant's right to appeal and of the right of a person who is unable to pay the costs of an appeal to appeal in forma pauperis.

Sec. 4. K.S.A. 2021 Supp. 60-2310 is hereby amended to read as follows: 60-2310. (a) *Definitions*. As used in this act and the acts of which this act is amendatory, unless the context otherwise requires, the following words and phrases shall have the meanings respectively ascribed to them:

(1) "Earnings" means compensation ~~paid or~~ payable for personal services, whether denominated as wages, salary, commission, bonus or otherwise;

(2) "disposable earnings" means that part of the earnings of any individual remaining after the deduction from such earnings of any amounts required by law to be withheld;

(3) "wage garnishment" means any legal or equitable procedure through which the earnings of any individual are required to be withheld for payment of any debt; and

(4) "federal minimum hourly wage" means that wage prescribed by subsection (a)(1) of section 6 of the federal fair labor standards act of 1938, and any amendments thereto.

(b) *Restriction on wage garnishment*. Subject to the provisions of subsection (e), only the aggregate disposable earnings of an individual may be subjected to wage garnishment. The maximum part of such earnings of any wage earning individual which may be subjected to wage garnishment for any workweek or multiple thereof may not exceed the lesser of: (1) Twenty-five percent of the individual's aggregate disposable earnings for that workweek or multiple thereof; (2) the amount by which the individual's aggregate disposable earnings for that workweek or multiple thereof exceed an amount equal to 30 times the federal minimum hourly wage, or equivalent multiple thereof for such longer period; or (3) the amount of the plaintiff's claim as found in the order for garnishment. No one creditor may issue more than one garnishment against the earnings of the same judgment debtor during any one 30-day period, but the court shall allow the creditor to file amendments or corrections of names or addresses of any party to the order of garnishment at any time. In answering such order the garnishee-employer shall withhold from all earnings of the judgment-debtor for any pay period or periods ending during such 30-day period an amount or amounts as are allowed and required by law. Nothing in this act shall be construed as charging the plaintiff in any garnishment action with the knowledge of the amount of any defendant's earnings prior to the commencement of such garnishment action.

(c) *Sickness preventing work*. If any debtor is prevented from working at the debtor's regular trade, profession or calling for any period greater

than two weeks because of illness of the debtor or any member of the family of the debtor, and this fact is shown by the affidavit of the debtor, the provisions of this section shall not be invoked against any such debtor until after the expiration of two months after recovery from such illness.

(d) *Assignment of account.* If any person, firm or corporation sells or assigns an account to any person or collecting agency, that person, firm or corporation or their assignees shall not have or be entitled to the benefits of wage garnishment. The provision of this subsection shall not apply to the following:

(1) Assignments of support rights to the secretary for children and families pursuant to K.S.A. 39-709 and 39-756, and amendments thereto, and support enforcement actions conducted by court trustees pursuant to K.S.A. 23-492 et seq., and amendments thereto;

(2) support rights which have been assigned to any other state pursuant to title IV-D of the federal social security act, 42 U.S.C. § 651 et seq.;

(3) assignments of accounts receivable or taxes receivable to the director of accounts and reports made under K.S.A. 75-3728b, and amendments thereto; or

(4) collections pursuant to contracts entered into in accordance with K.S.A. ~~75-719~~ 20-169, and amendments thereto, involving the collection of restitution or debts to district courts.

(e) *Exceptions to restrictions on wage garnishment.* The restrictions on the amount of disposable earnings subject to wage garnishment as provided in subsection (b) shall not apply in the following instances:

(1) Any order of any court for the support of any person, including any order for support in the form of alimony, but the foregoing shall be subject to the restriction provided for in subsection (g);

(2) any order of any court of bankruptcy under chapter XIII of the federal bankruptcy act; and

(3) any debt due for any state or federal tax.

(f) *Prohibition on courts.* No court of this state may make, execute or enforce any order or process in violation of this section.

(g) The maximum part of the aggregate disposable earnings of an individual for any workweek which is subject to garnishment to enforce any order for the support of any person shall not exceed:

(1) If the individual is supporting a spouse or dependent child (other than a spouse or child with respect to whose support such order is used), 50% of the individual's disposable earnings for that week;

(2) if the individual is not supporting a spouse or dependent child described in ~~clause paragraph~~ (1), 60% of such individual's disposable earnings for that week; and

(3) with respect to the disposable earnings of any individual for any workweek, the 50% specified in ~~clause paragraph~~ (1) shall be 55% and

the 60% specified in ~~clause~~ *paragraph* (2) shall be 65%, if such earnings are subject to garnishment to enforce a support order for a period which is prior to the twelve-week period which ends with the beginning of such workweek.

Sec. 5. K.S.A. 2021 Supp. 60-2403 is hereby amended to read as follows: 60-2403. (a) (1) Except as provided in subsection (b), if a renewal affidavit is not filed or if execution, including any garnishment proceeding, support enforcement proceeding or proceeding in aid of execution, is not issued, within five years from the date of the entry of any judgment in any court of record in this state, including judgments in favor of the state or any municipality in the state, or within five years from the date of any order reviving the judgment or, if five years have intervened between the date of the last renewal affidavit filed or execution proceedings undertaken on the judgment and the time of filing another renewal affidavit or undertaking execution proceedings on it, the judgment, including court costs and fees therein shall become dormant, and shall cease to operate as a lien on the real estate of the judgment debtor. When a judgment becomes and remains dormant for a period of two years, it shall be the duty of the judge to release the judgment of record when requested to do so. *Undisputed payments made prior to a request for a release of judgment are voluntary and not subject to refund or recoupment.*

(2) A “renewal affidavit” is a statement under oath, signed by the judgment creditor or the judgment creditor’s attorney, filed in the proceedings in which the judgment was entered and stating the remaining balance due and unpaid on the judgment.

(3) A “support enforcement proceeding” means any civil proceeding to enforce any judgment for payment of child support or maintenance and includes, but is not limited to, any income withholding proceeding under the income withholding act, K.S.A. 2021 Supp. 23-3101 et seq., and amendments thereto, any contempt proceeding and any civil proceeding under the uniform interstate family support act, K.S.A. 2021 Supp. 23-36,101 et seq., and amendments thereto.

(b) Except for those judgments which have become void as of July 1, 2007, no judgment for the support of a child shall be or become dormant for any purpose except as provided in this subsection. Except for those judgments which have become void as of July 1, 2015, no judgment for court costs, fees, fines or restitution shall be or become dormant for any purpose except as provided in this subsection. If a judgment would have become dormant under the conditions set forth in subsection (a), the judgment shall cease to operate as a lien on the real estate of the judgment debtor as of the date the judgment would have become dormant, but the judgment shall not be released of record pursuant to subsection (a).

(c) The time within which action must be taken to prevent a judgment from becoming dormant does not run during any period in which the enforcement of the judgment by legal process is stayed or prohibited.

Sec. 6. K.S.A. 60-4301, 60-4302, 60-4303 and 60-4304 and K.S.A. 2021 Supp. 20-169, 21-6604, 22-3424, 60-2310, 60-2403 and 60-4305 are hereby repealed.

Sec. 7. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 7, 2022.

CHAPTER 32

HOUSE BILL No. 2231

AN ACT concerning crimes, punishment and criminal procedure; relating to conducting a pyramid promotional scheme; exemptions; amending K.S.A. 2021 Supp. 21-5838 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2021 Supp. 21-5838 is hereby amended to read as follows: 21-5838. (a) Conducting a pyramid promotional scheme is knowingly establishing, operating, advertising or promoting any pyramid promotional scheme.

(b) Conducting a pyramid promotional scheme is a severity level 9, nonperson felony.

(c) A limitation as to the number of persons who may participate or the presence of additional conditions affecting eligibility for the opportunity to receive compensation under the plan or operation does not change the identity of the scheme as a pyramid promotional scheme.

(d) It is not a defense under this section that a participant, on giving consideration, obtains any goods, services or intangible property in addition to the right to receive compensation.

(e) *The provisions of this section shall not be construed to prohibit a plan or operation, or to define a plan or operation as a pyramid promotional scheme, if the participants in the plan or operation give consideration in return for the right to receive compensation based upon purchases of goods, services or intangible property for personal use, consumption or resale if the plan or operation does not cause inventory loading.*

(f) The attorney general, or county attorney or district attorney, or both, may institute criminal action to prosecute this offense.

(g) As used in this section:

(1) "Pyramid promotional scheme" means ~~a~~ *any* plan or operation by which a ~~participant~~ *person* gives consideration for the opportunity to receive compensation ~~which~~ *that* is derived primarily from ~~any person's~~ *the* introduction of other persons into ~~participation in~~ the plan or operation rather than from the sale *and consumption* of goods, services or intangible property by ~~the~~ *a* participant or other persons introduced into the plan or operation.

(2) "Compensation" means *a payment of any money, a thing of value or financial benefit conferred in return for inducing another person to participate in a pyramid promotional scheme.*

(3) "Consideration" means *the payment of cash or the purchase of goods, services or intangible property. "Consideration" does not include the purchase of goods or services furnished at cost to be used in making*

sales and not for resale, or time and effort spent in pursuit of sales or recruiting activities. "Consideration" does not include payment for sales demonstration, equipment and materials furnished at cost for use in making sales and not for resale.

(4) *"Inventory" means both goods and services, including, but not limited to, company-produced promotional materials, sales aids and sales kits that an entity requires independent salespersons to purchase.*

(5) *"Inventory loading" means the requirement or encouragement by a plan or operation to have the independent salesperson of the plan or operation purchase inventory in an amount that exceeds the amount that the salesperson can expect to resell for ultimate consumption or to use or consume in a reasonable time period, or both.*

(6) *"Person" means an individual, corporation, trust, estate, partnership, unincorporated association or any other legal or commercial entity.*

(7) *"Promote" means to contrive, prepare, establish, plan, operate, advertise or otherwise induce or attempt to induce another person to participate in a pyramid promotional scheme.*

Sec. 2. K.S.A. 2021 Supp. 21-5838 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 7, 2022.

CHAPTER 33

HOUSE BILL No. 2462

AN ACT concerning the joint committee on state-tribal relations; removing the requirement that members be selected from the membership of certain standing committees; amending K.S.A. 46-2303 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 46-2303 is hereby amended to read as follows: 46-2303. (a) The joint committee on gaming compacts is hereby reconstituted as the joint committee on state-tribal relations. The joint committee shall consist of 12 members as follows: (1) Five members of the senate and five members of the house of representatives; and (2) the governor or the governor's designee and the attorney general or the attorney general's designee. Of the members appointed from the senate, three shall be appointed by the president of the senate and two shall be appointed by the minority leader of the senate. Of the members appointed from the house of representatives, three shall be appointed by the speaker of the house of representatives and two by the minority leader of the house of representatives. ~~Such members shall be selected only from the membership of the standing committees on federal and state affairs, judiciary, taxation and assessment and taxation.~~ All legislative members of the joint committee shall serve for terms ending on the first day of the regular legislative session in odd-numbered years.

(b) At the commencement of each regular session of the legislature, the governor or the governor's designee shall call an organizational meeting of the joint committee. The governor or the governor's designee shall serve as a temporary chairperson at the organizational meeting until a chairperson is elected as provided by this subsection. The members of the joint committee shall organize by electing from its membership a chairperson and a vice-chairperson. During odd-numbered years, the chairperson shall be a member from the senate and the vice-chairperson shall be a member from the house of representatives. During even-numbered years, the chairperson shall be a member from the house of representatives and the vice-chairperson shall be a member from the senate. The vice-chairperson shall exercise all of the powers and duties of the chairperson in the absence of the chairperson. The ranking minority member of the joint committee shall be the ranking minority member of the senate when the chairperson is a member of the senate or the ranking minority member of the house of representatives when the chairperson is a member of the house of representatives.

(c) A quorum of the joint committee on state-tribal relations shall be six members. Actions of the joint committee recommending that a reso-

lution approving a proposed compact be adopted or not be adopted shall be only on the affirmative vote of eight or more members of the joint committee, at least four of whom shall be senators and at least four of whom shall be members of the house of representatives. Action of the joint committee to report without recommendation a resolution approving a compact may be on the affirmative vote of any five or more legislative members of the committee. The governor or the governor's designee and the attorney general or the attorney general's designee shall not have the power to vote on an action approving or disapproving a compact or an action to report without recommendation a resolution approving a compact. All other actions of the joint committee may be taken by a majority of those present when there is a quorum.

(d) The joint committee may meet at any time and at any place within the state on the call of the chairperson. The joint committee may appoint subcommittees as deemed appropriate. Members of the joint committee and subcommittees thereof, shall receive compensation, travel, subsistence allowance and mileage as provided by K.S.A. 75-3212, and amendments thereto, when attending meetings of the joint committee or subcommittee thereof.

(e) The provisions of the acts contained in article 12 of chapter 46 of the Kansas Statutes Annotated, and amendments thereto, applicable to special committees shall apply to the joint committee to the extent that the same do not conflict with the specific provisions of this act applicable to the joint committee.

(f) In accordance with K.S.A. 46-1204, and amendments thereto, the legislative coordinating council may provide for such professional services as may be requested by the joint committee on state-tribal relations.

(g) The joint committee:

(1) May establish and transmit to the governor proposed guidelines reflecting the public policies and state interests, as embodied in the constitution, statutes and case law of the state of Kansas, consistent with the Indian gaming regulatory act—(, 25 U.S.C. § 2701 et seq.), that the joint committee will consider in reviewing proposed compacts;

(2) may recommend to the governor that any gaming compact provide for the imposition and collection of state sales and excise taxes on sales of nongaming goods and services to persons other than tribal members and imposition and collection of state income tax on revenues derived from sales of nongaming goods and services;

(3) may hold public hearings on proposed gaming compacts submitted to the joint committee by the governor;

(4) shall recommend modification of proposed gaming compacts submitted by the governor and introduce resolutions approving proposed gaming compacts submitted by the governor and recommend that such

resolutions be adopted or be not adopted, or report such resolutions without recommendation, and notify the governor, in writing, of the joint committee's action;

(5) shall meet, discuss and hold hearings on issues concerning state and tribal relations;

(6) may make recommendations on issues concerning state and tribal relations; and

(7) may introduce such legislation as deemed necessary in performing its functions.

Sec. 2. K.S.A. 46-2303 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 7, 2022.

CHAPTER 34

HOUSE BILL No. 2541

AN ACT concerning the judicial branch; relating to docket fees, marriage license fees and drivers' license reinstatement fees; crediting the fees to the state general fund; amending K.S.A. 28-177 and 28-178 and K.S.A. 2021 Supp. 8-2110, 20-1a04, 20-362 and 23-2510 and repealing the existing sections; also repealing K.S.A. 2021 Supp. 8-2110c.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2021 Supp. 8-2110 is hereby amended to read as follows: 8-2110. (a) Failure to comply with a traffic citation means failure either to: (1) Appear before any district or municipal court in response to a traffic citation and pay in full any fine and court costs imposed; or (2) otherwise comply with a traffic citation as provided in K.S.A. 8-2118, and amendments thereto. Failure to comply with a traffic citation is a misdemeanor, regardless of the disposition of the charge for which such citation was originally issued.

(b) (1) In addition to penalties of law applicable under subsection (a), when a person fails to comply with a traffic citation, except for illegal parking, standing or stopping, the district or municipal court in which the person should have complied with the citation shall mail notice to the person that if the person does not appear in district or municipal court or pay all fines, court costs and any penalties within 30 days from the date of mailing notice, the division of vehicles will be notified to suspend the person's driving privileges. The district or municipal court may charge an additional fee of \$5 for mailing such notice. Upon the person's failure to comply within such 30 days of mailing notice, the district or municipal court shall electronically notify the division of vehicles. Upon receipt of a report of a failure to comply with a traffic citation under this subsection, pursuant to K.S.A. 8-255, and amendments thereto, the division of vehicles shall notify the violator and suspend the license of the violator until satisfactory evidence of compliance with the terms of the traffic citation has been furnished to the informing court. When the court determines the person has complied with the terms of the traffic citation, the court shall immediately electronically notify the division of vehicles of such compliance. Upon receipt of notification of such compliance from the informing court, the division of vehicles shall terminate the suspension or suspension action.

(2) (A) In lieu of suspension under paragraph (1), the driver may submit to the division of vehicles a written request for restricted driving privileges.

(B) A person whose driver's license has expired during the period when such person's driver's license has been suspended for failure to pay fines for traffic citations, the driver may submit to the division of vehicles a written request for restricted driving privileges. An individual shall not

qualify for restricted driving privileges pursuant to this section unless the following conditions are met: (i) The suspended license that expired was issued by the division of vehicles; (ii) the suspended license resulted from the individual's failure to comply with a traffic citation pursuant to subsection (b)(1); and (iii) the traffic citation that resulted in the failure to comply pursuant to subsection (b)(1) was issued in this state.

(C) Upon review and approval of the driver's eligibility, the driving privileges will be restricted by the division of vehicles for a period up to one year or until the terms of the traffic citation have been complied with and the court shall immediately electronically notify the division of vehicles of such compliance. If the driver fails to comply with the traffic citation within the one year restricted period, the driving privileges will be suspended by the division of vehicles until the court determines the person has complied with the terms of the traffic citation and the court shall immediately electronically notify the division of vehicles of such compliance. Upon receipt of notification of such compliance from the informing court, the division of vehicles shall terminate the suspension action. When restricted driving privileges are approved pursuant to this section, the person's driving privileges shall be restricted to driving only under the following circumstances: (i) In going to or returning from the person's place of employment or schooling; (ii) in the course of the person's employment; (iii) in going to or returning from an appointment with a health care provider or during a medical emergency; and (iv) in going to and returning from probation or parole meetings, drug or alcohol counseling or any place the person is required to go by a court.

(c) On and after July 1, 2018, except as provided in subsection (d), when the district or municipal court notifies the division of vehicles of a failure to comply with a traffic citation pursuant to subsection (b), the court shall assess a reinstatement fee of \$100 for each charge on which the person failed to make satisfaction regardless of the disposition of the charge for which such citation was originally issued and regardless of any application for restricted driving privileges. Such reinstatement fee shall be in addition to any fine, restricted driving privilege application fee, district or municipal court costs and other penalties. The court shall remit all reinstatement fees to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury and shall credit the first \$15 of such reinstatement fee to the ~~judicial branch nonjudicial salary adjustment~~ *state general* fund and of the remaining amount, 29.41% of such moneys to the division of vehicles operating fund, 22.06% to the community alcoholism and intoxication programs fund created by K.S.A. 41-1126, and amendments thereto, 7.36% to the juvenile alternatives to detention fund created by K.S.A. 79-

4803, and amendments thereto, and 41.17% to the ~~judicial branch nonjudicial salary adjustment fund created by K.S.A. 2021 Supp. 20-1a15, and amendments thereto~~ *state general fund*.

(d) The district court or municipal court shall waive the reinstatement fee provided for in subsection (c), if the failure to comply with a traffic citation was the result of such person enlisting in or being drafted into the armed services of the United States, being called into service as a member of a reserve component of the military service of the United States, or volunteering for such active duty, or being called into service as a member of the state of Kansas national guard, or volunteering for such active duty, and being absent from Kansas because of such military service.

(e) (1) A person who is assessed a reinstatement fee pursuant to subsection (c) may petition the court that assessed the fee at any time to waive payment of the fee, any additional charge imposed pursuant to subsection (f), or any portion thereof. If it appears to the satisfaction of the court that payment of the amount due will impose manifest hardship on the person or the person's immediate family, the court may waive payment of all or part of the amount due or modify the method of payment.

(2) A person who is assessed a fine or court costs for a traffic citation may petition the court that assessed the fine or costs at any time to waive payment of the fine or costs, or any portion thereof. If it appears to the satisfaction of the court that payment of the amount due will impose manifest hardship on the person or the person's immediate family, the court may waive payment of all or part of the amount due or modify the method of payment.

(f) Except as provided further, the reinstatement fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for such reinstatement. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after July 1, 2019, through June 30, 2025, the supreme court may impose an additional charge, not to exceed \$22 per reinstatement fee, to fund the costs of non-judicial personnel.

Sec. 2. K.S.A. 2021 Supp. 20-1a04 is hereby amended to read as follows: 20-1a04. The clerk of the supreme court shall remit all moneys received by or for such clerk for docket fees, and all amounts received for other purposes than those specified in K.S.A. 20-1a01, 20-1a02 or 20-1a03, and amendments thereto, unless by order of the supreme court such clerk is directed to make other disposition thereof to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the ~~judicial branch nonjudicial salary initiative fund, a sum equal to 52.24% of the remittances of docket fees, to the judicial branch nonjudicial salary~~

~~adjustment fund, a sum equal to 6.72% of the remittance of docket fees, and to the judicial branch docket fee state general fund, a sum equal to 41.04% of the remittance of docket fees.~~

Sec. 3. K.S.A. 2021 Supp. 20-362 is hereby amended to read as follows: 20-362. The clerk of the district court shall remit all revenues received from docket fees as follows:

(a) At least monthly to the county treasurer, for deposit in the county treasury and credit to the county general fund:

(1) A sum equal to \$10 for each docket fee paid pursuant to K.S.A. 60-2001 and 60-3005, and amendments thereto, during the preceding calendar month;

(2) a sum equal to \$10 for each \$46 or \$76 docket fee paid pursuant to K.S.A. 61-4001, or K.S.A. 61-2704 or 61-2709, and amendments thereto; and

(3) a sum equal to \$5 for each \$26 docket fee paid pursuant to K.S.A. 61-4001 or K.S.A. 61-2704, and amendments thereto, during the preceding calendar month.

(b) At least monthly to the board of trustees of the county law library fund, for deposit in the fund, a sum equal to the library fees paid during the preceding calendar month for cases filed in the county.

(c) At least monthly to the county treasurer, for deposit in the county treasury and credit to the prosecuting attorneys' training fund, a sum equal to \$2 for each docket fee paid pursuant to K.S.A. 28-172a, and amendments thereto, during the preceding calendar month for cases filed in the county and a sum equal to \$1 for each fee paid pursuant to K.S.A. 28-170(c), and amendments thereto, during the preceding calendar month for cases filed in the county.

(d) To the state treasurer, in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, for deposit in the state treasury and credit to the law enforcement training center fund a sum equal to \$15 for each docket fee paid pursuant to K.S.A. 28-172a, and amendments thereto, during the preceding calendar month.

(e) To the state treasurer, in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, for deposit in the state treasury a sum equal to the balance which remains from all docket fees paid during the preceding calendar month after deduction of the amounts specified in subsections (a), (b), (c) and (d). Of the balance remitted to the state treasury pursuant to this subsection, the state treasurer shall credit 0.99% to the judicial council fund. ~~During the fiscal years ending June 30, 2018, June 30, 2019, June 30, 2020, and June 30, 2021, of the remainder, the state treasurer shall deposit and credit the first \$3,100,000 to the electronic filing and management fund created in K.S.A. 2021 Supp. 20-1a20, and amendments thereto. During the fiscal year ending June 30, 2022,~~

and each fiscal year thereafter, of the remainder, the state treasurer shall deposit and credit the first \$1,500,000 to the electronic filing and management fund *created in K.S.A. 2021 Supp. 20-1a20, and amendments thereto*. Of the balance which remains after deduction of the amounts specified in this subsection, the state treasurer shall deposit and credit the remainder to the ~~judicial branch docket fee~~ *state general fund*.

Sec. 4. K.S.A. 2021 Supp. 23-2510 is hereby amended to read as follows: 23-2510. (a) The judge or clerk of the district court shall collect from the applicant for a marriage license a fee of \$59.

(b) The clerk of the court shall remit all fees prescribed by this section to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury. Of each remittance, the state treasurer shall credit 38.98% to the protection from abuse fund, 15.19% to the family and children trust account of the family and children investment fund created by K.S.A. 38-1808, and amendments thereto, 16.95% to the crime victims assistance fund created by K.S.A. 74-7334, and amendments thereto, ~~15.25% to the judicial branch nonjudicial salary adjustment fund created by K.S.A. 2021 Supp. 20-1a15, and amendments thereto,~~ and the remainder to the state general fund.

(c) Except as provided further, the marriage license fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for a marriage license. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after July 1, 2019, through June 30, 2025, the supreme court may impose an additional charge, not to exceed \$26.50 per marriage license fee, to fund the costs of non-judicial personnel.

Sec. 5. K.S.A. 28-177 is hereby amended to read as follows: 28-177. (a) Except as provided in this section and K.S.A. 28-178, and amendments thereto, the fees established by legislative enactment shall be the only fee collected or moneys in the nature of a fee collected for court procedures. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. Court procedures shall include docket fees, filing fees or other fees related to access to court procedures. On and after July 1, 2019, through June 30, 2025, the supreme court may impose an additional charge, not to exceed \$26.50 per fee or the amount established by the applicable statute, whichever amount is less, to fund the costs of non-judicial personnel.

(b) Such additional charge imposed by the court pursuant to K.S.A. 8-2107, 8-2110, 22-2410, 28-170, 28-172a, 28-178, 28-179, 32-1049a, 38-2215, 38-2312, 38-2314, 59-104, 60-2001, 60-2203a, 61-2704, 61-4001 and 65-409 and K.S.A. 2021 Supp. 21-6614 and 23-2510, and amendments thereto, shall be remitted to the state treasurer in accordance with the

provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the ~~judicial branch docket fee fund, which is hereby created in the state treasury~~ *state general fund*.

(c) *There is hereby established in the state treasury the judicial branch docket fee fund which shall be administered by the chief justice at the Kansas supreme court.* Moneys credited to the judicial branch docket fee fund shall not be expended for compensation of judges or justices of the judicial branch.

(d) All expenditures from the judicial branch docket fee fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chief justice of the Kansas supreme court or by a person or persons designated by the chief justice.

~~(e) Expenditures may be made from the judicial branch docket fee fund to provide services and programs for the purpose of educating and training judicial branch officers and employees, administering the training, testing and education of municipal judges as provided in K.S.A. 12-4114, and amendments thereto, and for educating and training municipal judges and municipal court and support staff, including official hospitality. The judicial administrator is hereby authorized to fix, charge and collect fees for such services and programs. Such fees may be fixed to cover all or part of the operating expenditures incurred in providing such services and programs, including official hospitality. All fees received for such purposes and programs, including official hospitality, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the judicial branch docket fee fund.~~

~~(f) On the effective date of this act:~~

~~(1) The director of accounts and reports shall transfer all moneys in the judicial branch surcharge fund to the judicial branch docket fee fund;~~

~~(2) all liabilities of the judicial branch surcharge fund existing prior to that date are hereby imposed on the judicial branch docket fee fund; and~~

~~(3) the judicial branch surcharge fund is hereby abolished.~~

Sec. 6. K.S.A. 28-178 is hereby amended to read as follows: 28-178. (a) In addition to any other fees specifically prescribed by law, on and after July 1, 2019, through June 30, 2025, the supreme court may impose a charge, not to exceed \$12.50 per fee, to fund the costs of non-judicial personnel, on the following:

(1) A person who requests an order or writ of execution pursuant to K.S.A. 60-2401 or 61-3602, and amendments thereto.

(2) Persons who request a hearing in aid of execution pursuant to K.S.A. 60-2419, and amendments thereto.

(3) A person requesting an order for garnishment pursuant to article 7 of chapter 60 of the Kansas Statutes Annotated, and amendments thereto, or article 35 of chapter 61 of the Kansas Statutes Annotated, and amendments thereto.

(4) Persons who request a writ or order of sale pursuant to K.S.A. 60-2401 or 61-3602, and amendments thereto.

(5) A person who requests a hearing in aid of execution pursuant to K.S.A. 61-3604, and amendments thereto.

(6) A person who requests an attachment against the property of a defendant or any one or more of several defendants pursuant to K.S.A. 60-701 or 61-3501, and amendments thereto.

(b) The clerk of the district court shall remit all revenues received from the fees imposed pursuant to subsection (a) to the state treasurer, in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the ~~judicial branch docket fee~~ *state general fund*.

(c) The fees established in this section shall be the only fee collected or moneys in the nature of a fee collected for such court procedures. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee.

Sec. 7. K.S.A. 28-177 and 28-178 and K.S.A. 2021 Supp. 8-2110, 8-2110c, 20-1a04, 20-362 and 23-2510 are hereby repealed.

Sec. 8. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 7, 2022.

CHAPTER 35

HOUSE BILL No. 2712*

AN ACT establishing the Kansas commission for the United States semiquincentennial as part of the department of commerce; prescribing commission membership, responsibilities, meetings and expiration; creating the Kansas commission for the United States semiquincentennial gifts and donations fund.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) Sections 1 through 10, and amendments thereto, shall be known and may be cited as the Kansas commission for the United States semiquincentennial act.

(b) As used in sections 1 through 10, and amendments thereto:

(1) “Act” means the Kansas commission for the United States semiquincentennial act; and

(2) “commission” means the Kansas commission for the United States semiquincentennial.

Sec. 2. (a) The Kansas commission for the United States semiquincentennial is hereby established within and as a part of the department of commerce to plan, encourage, develop and coordinate the commemoration of the 250th anniversary of the founding of the United States and to recognize the impact of this event on the people of Kansas and the nation’s past, present and future.

(b) The commission shall cooperate with the United States semiquincentennial commission and various state agencies, boards, commissions, departments and political subdivisions in order to execute commemorative events and to implement educational activities, events and celebrations related to the semiquincentennial of the United States.

Sec. 3. (a) The commission shall consist of 20 voting members as follows:

(1) The secretary of commerce or the secretary’s designee;

(2) the executive director of the Kansas African American affairs commission or the executive director’s designee;

(3) the executive director of the Kansas Hispanic and Latino American affairs commission or the executive director’s designee;

(4) the executive director of the Kansas state historical society or the executive director’s designee;

(5) one member of the house of representatives to be appointed by the speaker of the house of representatives;

(6) one member of the majority party of the house of representatives to be appointed by the majority leader of the house of representatives;

(7) one member of the minority party of the house of representatives to be appointed by the minority leader of the house of representatives;

(8) one member of the senate to be appointed by the president of the senate;

(9) one member of the majority party of the senate to be appointed by the majority leader of the senate;

(10) one member of the minority party of the senate to be appointed by the minority leader of the senate;

(11) the state regent of the Kansas society daughters of the American revolution or the state regent's designee;

(12) the president of the Kansas society sons of the American revolution or the president's designee;

(13) the president of the Kansas historical foundation or the president's designee;

(14) one professor of American history from a Kansas institution of higher education, appointed by the president of the state board of regents;

(15) one teacher of American history from a public school, appointed by the state board of education;

(16) one representative appointed by the Kansas native American affairs office;

(17) the commander of the Kansas American legion or the commander's designee;

(18) the commander of the department of Kansas veterans of foreign wars or the commander's designee;

(19) the president of the sunflower sampler foundation or the president's designee; and

(20) the chairperson of the Kansas state fair board or the chairperson's designee.

(b) Members shall be appointed for the duration of the commission but shall serve only for as long as such members remain in the position that originally qualified such member for appointment.

(c) A vacancy on the commission shall not affect the powers of the commission. Each vacancy shall be filled in the same manner as the original appointment.

Sec. 4. (a) The commission shall plan, coordinate and implement a program in 2026 to commemorate the 250th anniversary of the founding of the United States. In developing the plans and overall program for the event, the commission shall:

(1) Give due consideration to related plans and programs developed by federal, state, local and private groups;

(2) hold public meetings to solicit the input of Kansas citizens throughout the state in developing programs for the semiquincentennial. The first public meeting shall be held within 90 days of the commission's first meeting and public meetings shall continue throughout the commission's existence;

- (3) showcase all counties of the state;
- (4) draw attention to the achievements, struggles, honors, innovations and impacts of all people in the state;
- (5) clearly delineate all expenses incurred by the commission in developing the program;
- (6) create a website to communicate plans for the semiquincentennial; and
- (7) solicit gifts and donations from private industry, corporations and individuals to support the commission's goals.

(b) To aid in developing plans, the commission may designate special committees with representatives from groups described in section 2(b), and amendments thereto, to plan, develop and coordinate specific activities.

Sec. 5. Meetings of the commission shall be held throughout the state at times and locations determined by the chairperson, who shall be selected by a majority vote of the commission and may serve up to two consecutive two-year terms. In the case of a national, state or local emergency, making meeting in person dangerous or impossible, the commission may meet in another manner where all participants can participate with each other at the same time, including using an electronic platform. The first meeting of the commission shall be called by the state regent of the Kansas society daughters of the American revolution or the state regent's designee. A majority of the members of the commission constitutes a quorum.

Sec. 6. (a) (1) On or before December 31, 2022, the commission shall submit a comprehensive report to the governor, the secretary of commerce, the president of the senate and the speaker of the house of representatives that contains the commission's specific recommendations for the commemoration of the 250th anniversary of the founding of the United States and related events.

(2) The report shall include:

(A) A detailed timeline of the commission's plan for the overall program through 2027;

(B) the commission's recommendations for the allocation of costs among public and private entities that provide financial and administrative assistance to the commission;

(C) the projected number of jobs created through the implementation of the commission's plan and overall program;

(D) the projected economic impact of the implementation of the commission's plan and overall program on the economy of Kansas;

(E) the geographic impact of the commission's plan and overall program on all counties of this state; and

(F) outputs and outcomes against which progress and success of the commission's plan and overall program can be measured.

(3) The commission shall make the comprehensive report available to the public on the commission's website.

(b)(1) The commission shall submit an annual report to the governor, the secretary of commerce, the speaker of the house of representatives and the president of the senate detailing the commission's activities on or before December 31, 2023, and by December 31 each year thereafter. The report shall include an accounting of funds received and expended during the year covered by the report, the outputs and outcomes achieved and whether those achievements meet the commission's plan and overall program goals.

(2) The commission shall make the annual report available to the public on the commission's website.

Sec. 7. (a) The commission may accept, use and dispose of gifts and donations of money, property or personal services. The type and quantity of gifts shall be enumerated and submitted to the Kansas governmental ethics commission each quarter and shall be made available to the public on the commission's website.

(b) There is hereby established in the state treasury the Kansas commission for the United States semiquincentennial gifts and donations fund. Such fund shall be administered by the secretary of commerce. All expenditures from the Kansas commission for the United States semiquincentennial gifts and donations fund shall be for promoting the Kansas commission for the United States semiquincentennial. All expenditures from the Kansas commission for the United States semiquincentennial gifts and donations fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary or the secretary's designee.

(c) On December 31, 2027, the director of accounts and reports shall transfer all moneys in the Kansas commission for the United States semiquincentennial gifts and donations fund to the operating expenditures account of the state economic development initiatives fund of the department of commerce. On December 31, 2027, all liabilities of the Kansas commission for the United States semiquincentennial gifts and donations fund shall be transferred to and imposed upon the operating expenditures account of the state economic development initiatives fund of the department of commerce. On December 31, 2027, the Kansas commission for the United States semiquincentennial gifts and donations fund shall be abolished.

Sec. 8. (a) The commission may:

- (1) Procure supplies, services and property;
- (2) enter into contracts;
- (3) expend, in furtherance of this act, funds donated or received pursuant to contracts entered into under this act in the Kansas commission for the United States semiquincentennial gifts and donations fund; and

(4) take action as necessary to enable the commission to effectuate the purposes of this act.

(b) Any action taken pursuant to subsection (a) shall first be approved by majority vote of the commission.

Sec. 9. (a) Commission members shall not receive compensation for their work with the commission.

(b) Non-legislative citizen members of the commission shall not receive compensation, subsistence allowances, mileage or reimbursement for expenses incurred in the performance of their duties.

Sec. 10. (a) The provisions of sections 1 through 10 of this act, and amendments thereto, shall expire on December 31, 2027.

(b) Upon the expiration of the commission on December 31, 2027, any property remaining property in the possession of the commission may be donated to local municipalities or other state agencies by the secretary of commerce.

Sec. 11. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 7, 2022.

CHAPTER 36

HOUSE BILL No. 2075

AN ACT concerning the probate code; relating to adoption; venue; agency adoptions; amending K.S.A. 2021 Supp. 59-2126 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2021 Supp. 59-2126 is hereby amended to read as follows: 59-2126. (a) Except as provided in subsection (f), in an independent adoption, venue shall be in the county in which the petitioner resides or in the county in which the child to be adopted resides.

(b) Except as provided in subsection (f), in an agency adoption, venue shall be in the county:

- (1) In which the petitioner resides;
- (2) in which the child to be adopted resided prior to receipt of custody by the agency; ~~or~~
- (3) where the principal place of business for the child placing agency is located; *or*
- (4) *if the state or a department of the state is the agency, where the department or any subcontracting agency has an office.*

(c) Except as provided in subsection (f), in a stepparent adoption, venue shall be in the county in which the petitioner resides or where the child resides.

(d) If the petitioner resides upon or is stationed at a United States military post or reservation within this state, and the child to be adopted is then residing with the petitioner, venue may be in the district court of the county in which the post or reservation is located, or in the district court of any county located immediately adjacent to such county.

(e) Where the residence of the child, as defined in K.S.A. 59-2112, and amendments thereto, serves as the basis for venue, a sworn affidavit shall be filed with the petition setting forth the factual basis for the child's residency.

(f) In all adoptions, venue may be established in any county in Kansas, if all parties in interest agree in writing to venue in that county.

Sec. 2. K.S.A. 2021 Supp. 59-2126 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 7, 2022.

CHAPTER 37

HOUSE BILL No. 2537

AN ACT concerning the insurance department; relating to the Kansas administrative procedure act; requiring a hearing at the request of any person subject to an order; amending K.S.A. 40-281 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 40-281 is hereby amended to read as follows: 40-281. (a) The commissioner of insurance is hereby authorized to hold a fact-finding hearing on any matter relating to the business of insurance, whenever ~~he~~ *the commissioner* shall have reason to believe that such a proceeding ~~by him~~ would be in the public interest. The commissioner shall give to all interested parties reasonable notice of any such hearing, and ~~said~~ *such* notice shall contain the time, place and purpose of the hearing. Notice of the hearing may be sent by registered mail, and any hearing held in accordance with notice thereof shall not be affected by the failure of any party to attend or remain in attendance.

(b) At the time and place fixed for such hearing, all interested parties shall have an opportunity to be heard and to present such material as the commissioner deems relevant to the matter at issue, but the observance of formal rules of pleading or evidence at any such hearing shall not be required unless requested by any party subpoenaed to appear at such hearing. The commissioner may adjourn any hearing from time to time by announcement thereof at the hearing.

(c) The commissioner, upon such hearing, may administer oaths, examine and cross-examine witnesses, receive oral and documentary evidence, and shall have the power to subpoena witnesses, compel their attendance, and require the production of books, papers, records, correspondence or other documents deemed relevant to the inquiry. In case of a refusal of any person to comply with any subpoena issued hereunder or to testify with respect to any matter concerning which ~~he~~ *such person* may be lawfully interrogated, the district court of Shawnee county or the county where such person resides, on application of the commissioner, may issue an order requiring such person to comply with such subpoena and to testify, and any failure to obey any such order of the court may be punished by the court as a contempt thereof. The commissioner may cause to be made a stenographic record of all the evidence and all of the proceedings had at any such hearing.

(d) *A person subject to any order, as defined in K.S.A. 77-502, and amendments thereto, issued by the commissioner may request a hearing on such order. If such a request is made, the commissioner shall conduct a hearing in accordance with the provisions of the Kansas administrative procedure act.*

(e) Nothing in this act shall be construed as affecting the filing of rates required by articles 9 and 11 of chapter 40 of the Kansas Statutes Annotated, *and amendments thereto*.

Sec. 2. K.S.A. 40-281 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

Approved April 7, 2022.

Published in the *Kansas Register* April 14, 2022.

CHAPTER 38

Senate Substitute for HOUSE BILL No. 2458

AN ACT concerning driver's licenses; relating to vision requirements; limiting the liability of optometrists and ophthalmologists who provide information to the division of vehicles; amending K.S.A. 8-295 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 8-295 is hereby amended to read as follows: 8-295. Each driver's license examiner shall use the following vision standards for driver's license applicants:

(a) Each applicant testing $20/40$ or better in at least one eye at the examination station shall meet the vision requirements. The driver's license examiner shall give each applicant failing to meet this test a vision form and refer the applicant to an ophthalmologist or optometrist of the applicant's choice.

(b) Each applicant who has received a vision report from an ophthalmologist or optometrist shall have $20/60$ or better vision in at least one eye, with or without standard corrective lens, as determined by an ophthalmologist or optometrist to be eligible to be issued a driver's license.

(c) The driver's license examiner shall require each individual with a reading of $20/60$ in the better eye, with or without standard corrective lens, to submit to a driver's test.

(d) An applicant failing to meet any of the above standards may be issued a driver's license if the applicant can demonstrate that the applicant can safely operate a vehicle and has had a good driving record for the previous three years. The division may impose reasonable restrictions on such license, as provided in K.S.A. 8-245, and amendments thereto.

(e) An applicant failing to meet the standards in subsections (a) through (d) shall be afforded a hearing in the manner prescribed by ~~subsection (e) of K.S.A. 8-255(c)~~, and amendments thereto.

(f) No optometrist or ophthalmologist reporting to the division or to the medical advisory board in good faith any information ~~which~~ *that* such person ~~may have~~ *has* relating to the visual condition or other ability *vision* of an applicant for a driver's license to safely operate a motor vehicle shall be subject to a civil action *liable* for damages as a result of reporting such information ~~including any information provided in a vision report to any person subsequent to the issuance or the renewal of a driver's license to the applicant.~~

Sec. 2. K.S.A. 8-295 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

Approved April 7, 2022.

Published in the *Kansas Register* April 14, 2022.

CHAPTER 39

HOUSE BILL No. 2605

AN ACT concerning animal care; relating to the veterinary training program for rural Kansas; establishing an advisory committee; increasing the rural population requirement maximum; creating a food animal percentage requirement in lieu of such rural population requirement; amending K.S.A. 76-4,112 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 76-4,112 is hereby amended to read as follows: 76-4,112. (a) (1) There is hereby established the veterinary training program for rural Kansas at the college of veterinary medicine at Kansas state university ~~which~~. *The program shall be developed and implemented in order to provide encouragement, opportunities and incentives for persons pursuing a veterinary medicine degree program at Kansas state university to locate their veterinary practice in rural Kansas communities and receive specialized training targeted to meet the needs of livestock producers and rural Kansas communities.*

(2) The program shall be administered by the college of veterinary medicine at Kansas state university *in consultation with the advisory committee established in paragraph (3).*

(3) (A) *There is hereby established an advisory committee that will serve over the program to help select students, determine the needs of the program and provide input to the college.*

(B) *The advisory committee shall consist of:*

(i) *Two representatives from the Kansas veterinary medical association, including a member of the association's executive committee, and one member who has received a scholarship under the program;*

(ii) *the animal health commissioner;*

(iii) *two members appointed by the Kansas department of agriculture; and*

(iv) *two representatives from the college.*

(b) Subject to the provisions of appropriation acts, in accordance with the provisions of this section, the college may enter into program agreements with ~~up to five first year~~ *up to five first year* veterinary students ~~per year~~ *per year* who have entered into a program agreement ~~met the requirements of this section~~. Preference shall be given to those students who are Kansas residents and who agree to serve in a county as described in subsection (d)(3) ~~which is that has been determined to be an underserved area for the practice of veterinary medicine as determined by the college.~~

(c) Subject to the provisions of appropriation acts, each student entering into a program agreement under this section shall receive a loan ~~in the amount of \$20,000 not to exceed \$25,000~~ *in the amount of \$20,000 not to exceed \$25,000* per year for not more than four years for tuition, books, supplies and other school expenses, and

travel and training expenses incurred by the student in pursuing a veterinary medicine degree. Upon satisfaction of all commitments under the provisions of the agreement and ~~the provisions of this section~~, the loans provided pursuant to this section shall be deemed satisfied and forgiven.

(d) Each program agreement shall require that the person receiving the loan:

- (1) Complete the veterinary medicine degree program at the college;
- (2) complete:

(A) All *required* advanced training in public health, livestock biosecurity, foreign animal disease diagnosis, regulatory veterinary medicine and zoonotic disease; and

(B) an externship and mentoring requirement with a licensed, *and* accredited veterinarian in rural Kansas as required by the college;

- (3) engage in the full-time practice of veterinary medicine:

(A) In any county in Kansas ~~which~~ *that* has a population not exceeding ~~35,000~~ 40,000 or a registered veterinary premises under a licensed veterinarian if food animal patients make up at least 50% of such veterinarian's practice at the time the person entered into the program agreement; and

(B) for a period of at least 12 continuous months for each separate year a student receives a loan under the program, unless such obligation is otherwise satisfied as provided in this section. ~~A program agreement whereby the person pursuant to such agreement is engaging in the full-time practice of veterinary medicine in a county that no longer meets the maximum population requirements provided in this subsection after the date that such program agreement was entered into by the college and the person shall continue in full force and effect subject to the other requirements contained in this section;~~

(4) commence such full-time practice of veterinary medicine within 90 days after completion of such person's degree program, or if such person enters a post-degree training program such as a graduate school or internship or residency program, within 90 days after completion of such post-degree training program; and

(5) upon failure to satisfy the obligation to engage in the full-time practice of veterinary medicine in accordance with the provisions of this section, repay to the college, within 90 days of such failure, the amount equal to the amount loaned to such person less a prorated amount based on any such periods of practice of veterinary medicine meeting the requirements of this section, plus interest at the prime rate of interest plus 2% from the date such loan accrued. Such interest shall be compounded annually.

(e) *If a person is engaging in the full-time practice of veterinary medicine pursuant to a program agreement in a county that no longer meets the population requirement after the date that such program agreement was entered into by the college and such person, such program agreement*

shall continue in full force and effect subject to the other requirements of this section.

(f) An obligation to engage in the practice of veterinary medicine in accordance with the provisions of this section shall be postponed during:

(1) Any period of temporary medical disability during which the person obligated is unable to practice veterinary medicine due to such disability; and

(2) any other period of postponement agreed to or determined in accordance with criteria agreed to in the practice agreement.

~~(f)~~(g) An obligation to engage in the practice of veterinary medicine in accordance with the provisions of the agreement and this section shall be satisfied:

(1) If the obligation to engage in the practice of veterinary medicine in accordance with the agreement has been completed;

(2) if, because of permanent disability, the person obligated is unable to practice veterinary medicine; or

(3) the person obligated dies.

~~(g)~~(h) The college may adopt additional provisions, requirements or conditions to participate in this program as are practicable and appropriate to accomplish the provisions of the program or may be required for the implementation or administration of the program, and, in any case, as are not inconsistent with the provisions of this section or the provisions of appropriation acts.

~~(h)~~(i) As used in this section:

(1) “*Animal*” means the same as defined in K.S.A. 47-816, and amendments thereto;

(2) “*advisory committee*” means the committee established in subsection (a)(3);

(3) “*college*” means the college of veterinary medicine at Kansas state university;

~~(2)~~(4) “*food animal*” means any animal that:

(A) Is raised for the production of an edible product intended for consumption by humans;

(B) is itself intended for consumption by humans; or

(C) provides a fiber product for human use;

(5) “*program*” means the veterinary training program for rural Kansas established pursuant to this section; and

~~(3)~~(6) “*program agreement*” means an agreement to meet all the obligations provided in this section by a person who is a ~~first-year~~ veterinary student at the college; and *that* provides benefits to such person as provided in this section.

~~(i)~~(j) The dean of the college shall annually submit a report to the senate committee on agriculture and natural resources and the house com-

mittee on agriculture and natural resources, or any successor committee. Such annual report shall include details on the veterinary training program for rural Kansas, the veterinary diagnostic laboratory, the national bio and agro defense facility and other programs of the college.

Sec. 2. K.S.A. 76-4,112 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 7, 2022.

CHAPTER 40

HOUSE BILL No. 2228

AN ACT concerning sexual assault evidence kits; relating to submission of kits by law enforcement agencies; conducting evidence collection at child advocacy centers; amending K.S.A. 38-2227 and 65-448 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. (a) All law enforcement agencies in this state shall adopt a written policy requiring submission of all sexual assault kits that correspond to a law enforcement report of sexual assault to the Johnson county sheriff's office criminalistics laboratory, Sedgwick county regional forensic science center, the Kansas bureau of investigation or another accredited forensic laboratory.

(b) Such policy shall:

(1) Ensure that all sexual assault kits that correspond to a law enforcement report of sexual assault are submitted to a laboratory described in subsection (a) for analysis within 30 business days from the collection of the kit for examination; and

(2) include a procedure to ensure the examination results are received by the investigating officer upon the completion of the examination.

(c) All law enforcement agencies in this state shall collaborate with the county or district attorneys in the appropriate jurisdiction regarding the contents of the written policies required by this section.

(d) Policies adopted pursuant to this section shall be made available to all law enforcement officers employed by such law enforcement agency and shall be available for public inspection during normal business hours.

(e) Policies required by this section shall be adopted and implemented by all law enforcement agencies in this state prior to January 31, 2023.

Sec. 2. K.S.A. 38-2227 is hereby amended to read as follows: 38-2227.

(a) A child advocacy center in this state shall:

(1) Be a private, nonprofit incorporated agency or a governmental entity.

(2) *Be a child advocacy center recognized by the national children's alliance.*

(3) Have a neutral, child-focused facility where forensic interviews take place with children in appropriate cases of suspected or alleged physical, mental or emotional abuse or sexual abuse. All agencies shall have a place to interact with the child as investigative or treatment needs require.

~~(3)(4)~~ Have a minimum designated staff that is supervised and approved by the local board of directors or governmental entity.

~~(4)(5)~~ Have a multidisciplinary team that meets on a regularly scheduled basis or as the caseload of the community requires. The team shall include, but not be limited to, representatives from the state or local of-

fice prosecuting such case, law enforcement, child protective services, mental health services, a victim's advocate, child advocacy center staff and medical personnel.

~~(5)~~(6) Provide case tracking of child abuse cases seen through the center. A center shall also collect data on the number of child abuse cases seen at the center, by sex, race, age, and other relevant data, the number of cases referred for prosecution, and the number of cases referred for medical services or mental health therapy.

~~(6)~~(7) Provide medical-exam examination services ~~or~~ and evidence collection for physical, mental, emotional or sexual abuse, including sexual assault evidence collection pursuant to K.S.A. 65-448, and amendments thereto, on site at the child advocacy center, or provide referrals for medical examination services or evidence collection not on the site of the child advocacy center.

(8) Provide mental health therapy, ~~or both~~, on site at the child advocacy center, or provide referrals for medical exams or mental health therapy, ~~or both~~, to a facility not on the site of the child advocacy center.

~~(7)~~(9) Have an interagency commitment, in writing, covering those aspects of agency participation in a multidisciplinary approach to the handling of cases involving physical, mental or emotional abuse.

~~(8)~~(10) Provide that child advocacy center employees and volunteers at the center are trained and screened in accordance with K.S.A. 65-516, and amendments thereto.

~~(9)~~(11) Provide training for child advocacy center staff who interview children in forensic children's interview technique.

(b) Any child advocacy center within this state that meets the standards prescribed by this section shall be eligible to receive state funds that are appropriated by the legislature.

Sec. 3. K.S.A. 65-448 is hereby amended to read as follows: 65-448.

(a) Upon the request of any law enforcement officer and with the written consent of the reported victim, or upon the request of the victim, any physician, a licensed physician assistant, who has been specially trained in performing sexual assault evidence collection, or a registered professional nurse, who has been specially trained in performing sexual assault evidence collection, *if such physician, licensed physician assistant or registered nurse is on call or on duty at a:*

(1) (A) Medical care facility of this state, as defined by K.S.A. 65-425(h), and amendments thereto, shall examine persons who may be victims of sexual offenses cognizable as violations of K.S.A. 2020 Supp. 21-5503, 21-5504, 21-5506 or 21-5604, and amendments thereto, using Kansas bureau of investigation sexual assault evidence collection kits or similar kits approved by the Kansas bureau of investigation, for the purposes of gathering evidence of any such crime assault; or

(B) *child advocacy center of this state, as defined by K.S.A. 38-2227, and amendments thereto, or any other facility licensed or operated by a physician, physician assistant or registered nurse licensed pursuant to chapter 65 of the Kansas Statutes Annotated, and amendments thereto, may examine persons who may be victims of sexual assault.*

(2) *All examinations performed pursuant to paragraph (1), shall be conducted using Kansas bureau of investigation sexual assault evidence collection kits or similar kits approved by the Kansas bureau of investigation, for the purposes of gathering evidence of any such crime.*

(b) ~~If an examination has taken place solely upon the request of the victim, the medical care facility, child advocacy center or other facility where the examination takes place shall not notify any law enforcement agency without the written consent of the victim, unless otherwise required by law.~~

(c) ~~If the physician, licensed physician assistant or registered professional nurse refuses to perform such physical an examination at a medical care facility pursuant to subsection (a)(1), the prosecuting attorney is hereby empowered to seek a mandatory injunction against such physician, licensed physician assistant or registered professional nurse to enforce the provisions of this act subsection (a)(1). Any refusal by a physician, licensed physician assistant or registered professional nurse to perform an examination which has been requested pursuant to this section subsection (a)(1) shall be reported by the county or district attorney to the state board of healing arts or the board of nursing, whichever is applicable, for appropriate disciplinary action.~~

(d) ~~The department of health and environment, in cooperation with the Kansas bureau of investigation, shall establish procedures for gathering evidence pursuant to this section. A minor may consent to examination under this section. Such consent is not subject to disaffirmance because of minority, and consent of parent or guardian of the minor is not required for such examination.~~

(e) (1) ~~The hospital or medical care facility, child advocacy center or other facility shall give written notice to the parent or guardian of a minor that such an examination has taken place, except when:~~

~~(1)(A) The hospital or medical care facility, child advocacy center or other facility has information that a parent, guardian or family or household member is the subject of a related criminal investigation; or~~

~~(2)(B) the physician, licensed physician assistant or registered professional nurse, after consultation with law enforcement, reasonably believes that the child will be harmed if such notice is given.~~

(2) *A minor may consent to an examination under this section. Such consent is not subject to disaffirmance because of minority, and consent of a parent or guardian of the minor is not required for such examination.*

~~(b)~~(f) All *unreported* sexual assault kits ~~collected that are not released to law enforcement~~ shall be sealed by either the sexual assault nurse examiner program or the facility that provided the examination and ~~kept sent to the Kansas bureau of investigation. The Kansas bureau of investigation shall retain all unreported sexual assault kits connected to a report of sexual assault in evidence storage for five 20 years in the evidence storage facilities of the Kansas bureau of investigation.~~ After five 20 years, such kits shall be destroyed by the Kansas bureau of investigation.

~~(e)~~(g) Each sexual assault kit that is received by the Johnson county sheriff's office criminalistics laboratory, Sedgwick county regional forensic science center or the Kansas bureau of investigation shall be examined if the kit is required to be released to a law enforcement agency in connection with a report of sexual assault.

(h) The fee chargeable for conducting an examination of a victim as herein provided shall be established by the department of health and environment. Such fee, including the cost of the sexual assault evidence collection kit, shall be charged to and paid by the county where the alleged offense was committed, and refusal of the victim to report the alleged offense to law enforcement shall not excuse or exempt the county from paying such fee. The fee for conducting an examination of a victim ~~as herein provided pursuant to this section~~ shall not be charged or billed to the victim or to the victim's insurance carrier. Such county shall be reimbursed such fee upon the costs being paid by the defendant as court costs assessed pursuant to K.S.A. 28-172a, and amendments thereto.

~~(d)~~(i) No medical care facility, *child advocacy center or other facility* shall incur any civil, administrative or criminal liability as a result of notifying or failing to notify any law enforcement agency if an examination has taken place solely upon the request of the victim and such notification is not otherwise required by law.

~~(e)~~(j) The Kansas bureau of investigation may adopt rules and regulations as deemed necessary to implement the provisions of this section.

(k) *As used in this section:*

(1) "*Unreported sexual assault kit*" means a sexual assault kit collected pursuant to subsection (b) that is not released to law enforcement; and

(2) "*sexual assault*" means a sexual offense cognizable as a violation of K.S.A. 2021 Supp. 21-5503, 21-5504, 21-5506 or 21-5604, and amendments thereto.

Sec. 4. K.S.A. 38-2227 and 65-448 are hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its publication in the statute book.

CHAPTER 41

SENATE BILL No. 348

AN ACT concerning public health; relating to cosmetology; hair removal; exempting persons engaged in threading from the practice of cosmetology and the requirements thereof; amending K.S.A. 65-1901 and 65-1928 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 65-1901 is hereby amended to read as follows: 65-1901. As used in K.S.A. 65-1901 through 65-1912, and amendments thereto:

(a) “Apprentice” means any person engaged in learning the practice of cosmetology, nail technology, esthetics or electrology in a school of cosmetology, nail technology, esthetics or electrology licensed by the board, except until such time as an electrology school is established in this state apprenticing of electrology will be subject to approval by the board in a clinic or establishment.

(b) “Board” means the state board of cosmetology.

(c) “Cosmetologist” means any person, other than a manicurist or esthetician, who practices the profession of cosmetology for compensation.

(d) (1) “Cosmetology” means the profession of:

(A) Arranging, dressing, permanently curling, curling, waving, cleansing, temporarily or permanently coloring, bleaching, relaxing, conditioning or cutting the hair;

(B) cleansing, stimulating or performing any other noninvasive beautifying process on any skin surface by means of hands or mechanical or electrical appliances, other than electric needles, provided for esthetic rather than medical purposes;

(C) temporary hair removal from the face or any part of the body by use of the hands or mechanical or electrical appliances other than electric needles;

(D) using cosmetic preparations, antiseptics, lotions, creams or other preparations in performing any of the practices described in paragraphs (A), (B) and (C) of this subsection (d)(1); or

(E) manicuring, pedicuring or sculpturing nails.

(2) “Cosmetology” ~~shall~~ does not include:

(A) A service that results in tension on hair strands or roots by twisting, wrapping, weaving, extending, locking, or braiding by hand or mechanical device so long as the service does not include the application of dyes, reactive chemicals or other preparations to alter the color of the hair or to straighten, curl or alter the structure of the hair and so long as the requirements of K.S.A. 65-1928, and amendments thereto, are met. Nothing in this paragraph shall be construed to preclude a licensed cosmetologist from performing the service described in this paragraph; or

(B) *threading, so long as the requirements of K.S.A. 65-1928, and amendments thereto, are met. Nothing in this paragraph shall be construed to preclude a licensed cosmetologist or esthetician from performing threading.*

(e) *“Electrologist” means any person who, for compensation, removes hair from, or destroys hair on, the human body for beautification by use of an electric needle only.*

(f) *“Esthetician” means any person who, for compensation practices the profession of cosmetology only to the following extent:*

(1) *Eyebrow and eyelash services, cleansing, stimulating or performing any other noninvasive beautifying process on any skin surface by means of hands or mechanical or electrical appliances, other than electric needles, provided for esthetic rather than medical purposes;*

(2) *temporary hair removal from the face or any part of the body by use of the hands or mechanical or electrical appliances other than electric needles; or*

(3) *using cosmetic preparations, antiseptics, lotions, creams or other preparations in performing any of the practices described in this subsection.*

~~(f)~~(g) *“Instructor-in-training” means a licensed cosmetologist who has met the board’s training requirements for obtaining an instructor-in-training permit.*

(h) *“Manicurist” means any person who, for compensation practices the profession of cosmetology only to the extent of:*

(1) *Nail technology;*

(2) *cleansing, stimulating or performing similar work on the arms, hands or ankles and feet by means of hands or mechanical or electrical appliances, other than electric needles; or*

(3) *using cosmetic preparations, antiseptics, lotions, creams or other preparations in performing any practice described in subsection (f)(2) paragraph (2).*

~~(g)~~(i) *“Nail technology” means manicuring, pedicuring and sculpturing nails.*

~~(h)~~(j) *“Electrologist” means any person who, for compensation removes hair from, or destroys hair on, the human body for beautification by use of an electric needle only.*

(i) *“Person” means any individual, corporation, partnership, association or other entity.*

~~(j)~~ *“Instructor-in-training” means a person who is a licensed cosmetologist and has met the board’s training requirements for obtaining an instructor-in-training permit.*

(k) *“Physician” means a person licensed to practice medicine and surgery by the state board of healing arts.*

(l) *“Threading” means a method of temporary hair removal from the face or the front of the neck by use of a strand of thread to pull hair from follicles. “Threading” may include the use of over-the-counter astringents, gels, powders, tweezers or scissors incidental to threading, but does not include the use of chemicals, electric needles, heat or any type of wax or the manipulation of thread using teeth.*

Sec. 2. K.S.A. 65-1928 is hereby amended to read as follows: 65-1928. (a) The secretary of health and environment shall develop a brochure containing information about infection control techniques ~~which~~ *that* are appropriate for hair braiding *and threading* outside the salon setting. This brochure shall be made available through the department of health and environment’s website or by mail, upon request, for a fee to cover the department of health and environment’s printing costs. The brochure shall contain a self-test with questions on the information contained in the brochure.

(b) For an individual engaged in hair braiding *or threading* to be exempt from the practice of cosmetology under K.S.A. 65-1901, and amendments thereto, such individual shall complete the self-test part of the brochure and keep the brochure and completed self-test available at the location ~~at which~~ *where* the individual is braiding hair *or threading*.

Sec. 3. K.S.A. 65-1901 and 65-1928 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 11, 2022.

CHAPTER 42

SENATE BILL No. 451

AN ACT concerning wildlife and parks; relating to permanent hunting licenses; removing the requirement to submit proof that a person is at least 1/16 American Indian by blood; amending K.S.A. 32-929 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 32-929 is hereby amended to read as follows: 32-929. (a) Subject to the provisions of K.S.A. 32-912 and 32-920, and amendments thereto, the secretary or the secretary's designee shall issue, free of charge, a permanent license to hunt, fish and furharvest to any person residing in the state who submits to the secretary satisfactory proof that the person: (1) ~~Is at least $\frac{1}{16}$ Indian by blood; and~~ (2) maintains enrollment on a tribal membership roll maintained by a federally recognized tribe. Any such person hunting, fishing or furharvesting in this state shall be subject to the provisions of all rules and regulations relating to hunting, fishing or furharvesting.

(b) ~~For the purposes of~~ *As used in this section, a* "federally recognized tribe" means ~~an American Indian group that has petitioned for and obtained recognition by the United States department of the interior under the standards set out in 25 C.F.R. part 83, as amended~~ *tribe that appears on the list of Indian tribes published by the secretary of the interior in accordance with the federally recognized Indian tribe list act of 1994, title I, public law 103-454.*

Sec. 2. K.S.A. 32-929 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 11, 2022.

CHAPTER 43

House Substitute for SENATE BILL No. 101

AN ACT concerning electric-assisted bicycles; relating to the regulation and approved use thereof; providing for use of certain sizes of motors; amending K.S.A. 8-1437, 8-1439a, 8-1489, 8-1592b and 32-701 and K.S.A. 2021 Supp. 8-126, 8-128, 8-1402a, 8-1438, 8-1498 and 8-2401 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2021 Supp. 8-126 is hereby amended to read as follows: 8-126. As used in this act, ~~the following words and phrases have the meanings respectively ascribed to them herein:~~

(a) “All-terrain vehicle” means any motorized nonhighway vehicle, *other than an electric-assisted bicycle, that is 55 inches or less in width* measured from the outside of one tire rim to the outside of the other tire rim, having a dry weight of 1,500 pounds or less, traveling on three or more nonhighway tires.

(b) “Autocycle” means a three-wheel motorcycle that has a steering wheel and seating that does not require the operator to straddle or sit astride it.

(c) “Commission” or “state highway commission” means the director of vehicles of the department of revenue.

(d) “Contractor” means a person, partnership, corporation, local government, county government, county treasurer or other state agency that has contracted with the department to provide services associated with vehicle functions.

(e) “Department” or “motor vehicle department” or “vehicle department” means the division of vehicles of the department of revenue, acting directly or through its duly authorized officers and agents. When acting on behalf of the department of revenue pursuant to this act, a county treasurer shall be deemed to be an agent of the state of Kansas.

(f) “Division” means the division of vehicles of the department of revenue.

(g) “*Electric-assisted bicycle*” means the same as defined in K.S.A. 8-1489, and amendments thereto.

(h) “Electric-assisted scooter” means every self-propelled vehicle, *other than an electric-assisted bicycle*, that has at least two wheels in contact with the ground, an electric motor, handlebars, a brake and a deck that is designed to be stood upon when riding.

~~(h)~~(i) “Electric personal assistive mobility device” means a self-balancing two nontandem wheeled device, designed to transport only one person, with an electric propulsion system that limits the maximum speed of the device to 15 miles per hour or less.

~~(i)~~(j) “Electric vehicle” means a vehicle that is powered by an elec-

tric motor drawing current from rechargeable storage batteries or other portable electrical energy storage devices, provided the recharge energy must be drawn from a source off the vehicle, such as, but not limited to:

- (1) Residential electric service;
- (2) an electric vehicle charging station, also called an EV charging station, an electric recharging point, a charging point, electric vehicle supply equipment (EVSE) or a public charging station.

~~(j)~~(k) “Electronic certificate of title” means any electronic record of ownership, including any lien or liens that may be recorded, retained by the division in accordance with K.S.A. 2021 Supp. 8-135d, and amendments thereto.

~~(k)~~(l) “Electronic notice of security interest” means the division’s on-line internet program that enables a dealer or secured party to submit a notice of security interest as defined in this section, and to cancel the notice or release the security interest using the program. This program is also known as the Kansas elien or KSelien.

~~(l)~~(m) “Farm tractor” means every motor vehicle designed and used as a farm implement power unit operated with or without other attached farm implements in any manner consistent with the structural design of such power unit.

~~(m)~~(n) “Farm trailer” means every trailer and semitrailer as those terms are defined in this section, designed and used primarily as a farm vehicle.

~~(n)~~(o) “Foreign vehicle” means every motor vehicle, trailer, or semitrailer that shall be brought into this state otherwise than in ordinary course of business by or through a manufacturer or dealer and has not been registered in this state.

~~(o)~~(p) “Golf cart” means a motor vehicle that does not have fewer than three wheels in contact with the ground, an unladen weight of not more than 1,800 pounds, is designed to be and is operated at not more than 25 miles per hour and is designed to carry not more than four persons including the driver.

~~(p)~~(q) “Highway” means every way or place of whatever nature open to the use of the public as a matter of right for the purpose of vehicular travel. The term “highway” does not include a roadway or driveway upon grounds owned by private owners, colleges, universities or other institutions.

~~(q)~~(r) “Implement of husbandry” means every vehicle designed or adapted and used exclusively for agricultural operations, including feedlots, and only incidentally moved or operated upon the highways. “Implement of husbandry” includes, but is not limited to:

- (1) A farm tractor;
- (2) a self-propelled farm implement;

(3) a fertilizer spreader, nurse tank or truck permanently mounted with a spreader used exclusively for dispensing or spreading water, dust or liquid fertilizers or agricultural chemicals, as defined in K.S.A. 2-2202, and amendments thereto, regardless of ownership;

(4) a truck mounted with a fertilizer spreader used or manufactured principally to spread animal dung; and

(5) a mixer-feed truck owned and used by a feedlot, as defined in K.S.A. 47-1501, and amendments thereto, and specially designed and used exclusively for dispensing food to livestock in such feedlot.

~~(f)~~(s) “Lien” means a security interest as defined in this section.

~~(s)~~(t) “Lightweight roadable vehicle” means a multipurpose motor vehicle that is allowed to be driven on public roadways and is required to be registered with, and flown under the direction of, the federal aviation administration.

~~(t)~~(u) “Manufacturer” means every person engaged in the business of manufacturing motor vehicles, trailers or semitrailers.

~~(u)~~(v) “Micro utility truck” means any motor vehicle that is not less than 48 inches in width, has an overall length, including the bumper, of not more than 160 inches, has an unladen weight, including fuel and fluids, of more than 1,500 pounds, can exceed 40 miles per hour as originally manufactured and is manufactured with a metal cab. “Micro utility truck” does not include a work-site utility vehicle or recreational off-highway vehicle.

~~(v)~~(w) “Motor vehicle” means every vehicle, other than a motorized bicycle, *electric-assisted bicycle* or a motorized wheelchair, that is self-propelled.

~~(w)~~(x) “Motorcycle” means every motor vehicle, including autocycles, designed to travel on not more than three wheels in contact with the ground, except an *electric-assisted bicycle* or any such vehicle as may be included within the term “tractor” as defined in this section.

~~(x)~~(y) “Motorized bicycle” means every device, *other than an electric-assisted bicycle*, having two tandem wheels or three wheels, that may be propelled by either human power or helper motor, or by both, and has:

- (1) A motor that produces not more than 3.5 brake horsepower;
- (2) a cylinder capacity of not more than 130 cubic centimeters;
- (3) an automatic transmission; and
- (4) the capability of a maximum design speed of no more than 30 miles per hour.

~~(y)~~(z) “Motorized wheelchair” means any self-propelled vehicle designed specifically for use by a physically disabled person and such vehicle is incapable of a speed in excess of 15 miles per hour.

~~(z)~~(aa) “New vehicle dealer” means every person actively engaged in the business of buying, selling or exchanging new motor vehicles, travel trailers, trailers or vehicles who holds a dealer’s contract therefor from a

manufacturer or distributor and has an established place of business in this state.

~~(aa)~~(bb) “Nonresident” means every person who is not a resident of this state.

~~(bb)~~(cc) “Notice of security interest” means a notification to the division from a dealer or secured party of a purchase money security interest as provided in article 9 of chapter 84 of the Kansas Statutes Annotated, and amendments thereto, upon a vehicle that has been sold and delivered to the purchaser describing the vehicle and showing the name, address and acknowledgment of the secured party as well as the name and address of the debtor or debtors and other information the division requires.

~~(ee)~~(dd) “Oil well servicing, oil well clean-out or oil well drilling machinery or equipment” means a vehicle constructed as a machine used exclusively for servicing, cleaning-out or drilling an oil well and consisting in general of a mast, an engine for power, a draw works and a chassis permanently constructed or assembled for one or more of those purposes. The passenger capacity of the cab of a vehicle shall not be considered in determining whether such vehicle is oil well servicing, oil well clean-out or oil well drilling machinery or equipment.

~~(dd)~~(ee) “Owner” means a person who holds the legal title of a vehicle, or in the event a vehicle is the subject of an agreement for the conditional sale thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or in the event a vehicle is subject to a lease of 30 days or more with an immediate right of possession vested in the lessee; or in the event a party having a security interest in a vehicle is entitled to possession, then such conditional vendee or lessee or secured party shall be deemed the owner for the purpose of this act.

~~(ee)~~(ff) “Passenger vehicle” means every motor vehicle, as defined in this section, that is designed primarily to carry 10 or fewer passengers, and is not used as a truck.

~~(ff)~~(gg) “Person” means every natural person, firm, partnership, association or corporation.

~~(gg)~~(hh) “Pole trailer” means any two-wheel vehicle used as a trailer with bolsters that support the load, and do not have a rack or body extending to the tractor drawing the load.

~~(hh)~~(ii) “Recreational off-highway vehicle” means any motor vehicle not greater than 75 inches in width measured from the outside of one tire rim to the outside of the other tire rim, having a dry weight of 3,500 pounds or less, traveling on four or more nonhighway tires.

~~(ii)~~(jj) “Road tractor” means every motor vehicle designed and used for drawing other vehicles, and not so constructed as to carry any load thereon independently, or any part of the weight of a vehicle or load so drawn.

~~(jj)~~(kk) “Self-propelled farm implement” means every farm implement designed for specific use applications with its motive power unit permanently incorporated in its structural design.

~~(kk)~~(ll) “Semitrailer” means every vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle.

~~(ll)~~(mm) “Specially constructed vehicle” means any vehicle that shall not have been originally constructed under a distinctive name, make, model or type, or that, if originally otherwise constructed shall have been materially altered by the removal of essential parts, or by the addition or substitution of essential parts, new or used, derived from other vehicles or makes of vehicles.

~~(mm)~~(nn) “Trailer” means every vehicle without motive power designed to carry property or passengers wholly on its own structure and to be drawn by a motor vehicle.

~~(nn)~~(oo) “Travel trailer” means every vehicle without motive power designed to be towed by a motor vehicle constructed primarily for recreational purposes.

~~(oo)~~(pp) “Truck” means a motor vehicle that is used for the transportation or delivery of freight and merchandise or more than 10 passengers.

~~(pp)~~(qq) “Truck tractor” means every motor vehicle designed and used primarily for drawing other vehicles, and not so constructed as to carry a load other than a part of the weight of the vehicle or load so drawn.

~~(qq)~~(rr) “Used vehicle dealer” means every person actively engaged in the business of buying, selling or exchanging used vehicles, and having an established place of business in this state and who does not hold a dealer’s contract for the sale of new motor vehicles, travel trailers or vehicles.

~~(rr)~~(ss) “Vehicle” means every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, excepting electric personal assistive mobility devices or devices moved by human power or used exclusively upon stationary rails or tracks.

~~(ss)~~(tt) “Vehicle functions” means services relating to the application, processing, auditing or distribution of original or renewal vehicle registrations, certificates of title, driver’s licenses and division-issued identification cards associated with services and functions set out in articles 1, 2 and 13 of chapter 8 of the Kansas Statutes Annotated, and amendments thereto. “Vehicle functions” may also include personal property taxation duties set out in article 51 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, and other vehicle-related events described in article 1 of chapter 8 of the Kansas Statutes Annotated, and amendments thereto.

~~(tt)~~(uu) “Work-site utility vehicle” means any motor vehicle that is not less than 48 inches in width, has an unladen weight, including fuel and

fluids, of more than 800 pounds and is equipped with four or more non-highway tires, a steering wheel and bench or bucket-type seating allowing at least two people to sit side-by-side, and may be equipped with a bed or cargo box for hauling materials. “Work-site utility vehicle” does not include a micro utility truck or recreational off-highway vehicle.

Sec. 2. K.S.A. 2021 Supp. 8-128 is hereby amended to read as follows:
8-128. (a) The following need not be registered under this act, any:

- (1) Implement of husbandry;
- (2) all-terrain vehicle;
- (3) micro utility truck;
- (4) golf cart;
- (5) work-site utility vehicle;
- (6) road roller or road machinery temporarily operated or moved upon the highways;
- (7) municipally owned fire truck;
- (8) privately owned fire truck subject to a mutual aid agreement with a municipality;
- (9) school bus owned and operated by a school district or a nonpublic school that has the name of the municipality, school district or nonpublic school plainly painted thereon;
- (10) farm trailer used in carrying not more than 6,000 pounds owned by a person engaged in farming, which trailer is used exclusively by the owner to transport agricultural products produced by such owner or commodities purchased by the owner for use on the farm owned or rented by the owner of such trailer and the weight of any such farm trailer, plus the cargo weight of 6,000 pounds or less, shall not be considered in determining the gross weight for which the truck or truck tractor propelling the same shall be registered;
- (11) farm trailer used and designed for transporting hay or forage from a field to a storage area or from a storage area to a feedlot that is only incidentally moved or operated upon the highways, except that this paragraph shall not apply to a farm semitrailer; ~~or~~
- (12) electric-assisted scooter; *or*
- (13) *electric-assisted bicycle.*

(b) Self-propelled cranes where the crane operator on a job site operates the controls of such crane from a permanent housing or module on the crane and the crane is not used for the transportation of property, except the property that is required for the operation of the crane itself and earth moving equipment that are equipped with pneumatic tires may be moved on the highways of this state from one job location to another, or to or from places of storage, delivery or repair, without complying with the provisions of the law relating to registration and display of license plates but shall comply with all the other requirements of the law relating to motor vehicles.

(c) Oil well servicing, oil well clean-out or oil well drilling machinery or equipment need not be registered under this act but shall comply with all the other requirements of the law relating to motor vehicles.

(d) A truck permanently mounted with a hydraulic concrete pump and placing boom may be moved on the highways of this state from one job location to another, or to or from places of storage delivery or repair, without being registered under this act, but shall comply with all the other requirements of the law relating to motor vehicles. The provisions of this subsection shall not apply to ready-mix concrete trucks.

Sec. 3. K.S.A. 2021 Supp. 8-1402a is hereby amended to read as follows: 8-1402a. “All-terrain vehicle” means any motorized nonhighway vehicle, *other than an electric-assisted bicycle, that is 55 inches or less in width measured from the outside of one tire rim to the outside of the other tire rim, having a dry weight of 1,500 pounds or less and traveling on three or more nonhighway tires.*

Sec. 4. K.S.A. 8-1437 is hereby amended to read as follows: 8-1437. “Motor vehicle” means every vehicle, other than a motorized bicycle, *electric-assisted bicycle* or a motorized wheelchair, ~~which that~~ is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

Sec. 5. K.S.A. 2021 Supp. 8-1438 is hereby amended to read as follows: 8-1438. “Motorcycle” means every motor vehicle, including autocycles, having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding *an electric-assisted bicycle* or a tractor.

Sec. 6. K.S.A. 8-1439a is hereby amended to read as follows: 8-1439a. “Motorized bicycle” means every device, *other than an electric-assisted bicycle*, having two tandem wheels or three wheels ~~which that~~ may be propelled by either human power or helper motor, or by both, and ~~which that~~ has:

- (a) A motor ~~which that~~ produces not more than 3.5 brake horsepower;
- (b) a cylinder capacity of not more than 130 cubic centimeters;
- (c) an automatic transmission; and
- (d) the capability of a maximum design speed of no more than 30 miles per hour except a low power cycle.

Sec. 7. K.S.A. 8-1489 is hereby amended to read as follows: 8-1489. “Electric-assisted bicycle” means a bicycle with two or three wheels, a saddle, fully operative pedals for human propulsion, and an electric motor. ~~The electric-assisted bicycle’s electric motor must have a power output of no more than 1,000 watts, be incapable of propelling the device at a speed of more than 20 miles per hour on level ground and incapable of further increasing the speed of the device when human power alone is~~

used to propel the device beyond 20 miles per hour of less than 750 watts that meets the requirements of one of the following three classes:

(a) “Class 1 electric-assisted bicycle” means an electric-assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour;

(b) “class 2 electric-assisted bicycle” means an electric-assisted bicycle equipped with a motor that may be used exclusively to propel the bicycle and is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour; or

(c) “class 3 electric-assisted bicycle” means an electric-assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour.

Sec. 8. K.S.A. 2021 Supp. 8-1498 is hereby amended to read as follows: 8-1498. “Electric-assisted scooter” means every self-propelled vehicle, *other than an electric-assisted bicycle*, that has at least two wheels in contact with the ground, an electric motor, handlebars, a brake and a deck that is designed to be stood upon when riding.

Sec. 9. K.S.A. 8-1592b is hereby amended to read as follows: 8-1592b. ~~Vehicle registration and driver’s license shall not be required for operation of an electric-assisted bicycle. Traffic regulations applicable to bicycles shall apply to electric-assisted bicycles, except tricycles with no brake horsepower.~~ (a) Except as specifically provided, an electric-assisted bicycle or a rider of an electric-assisted bicycle shall be afforded all the rights and privileges, and be subject to all of the duties, of a bicycle or the rider of a bicycle. An electric-assisted bicycle is a vehicle to the same extent as a bicycle.

(b) An electric-assisted bicycle or a person riding an electric-assisted bicycle shall not be required to maintain: (1) Vehicle liability insurance coverage; (2) a driver’s license; (3) registration in accordance with article 1 of chapter 8 of the Kansas Statutes Annotated, and amendments thereto; (4) a certificate of title; or (5) a license plate. An electric-assisted bicycle shall not be considered a motor vehicle.

(c) On and after January 1, 2023, manufacturers and distributors of electric-assisted bicycles shall apply a label that is permanently affixed, in a prominent location, to each electric-assisted bicycle. The label shall contain the classification number, top assisted speed and motor wattage of the electric-assisted bicycle and shall be printed in Arial font in at least nine-point type.

(d) A person shall not tamper with or modify an electric-assisted bicycle in a manner that changes the motor-powered speed capability or engagement of an electric-assisted bicycle, unless the label indicating the classification required in subsection (c) is replaced after modification.

(e) *An electric-assisted bicycle shall comply with the equipment and manufacturing requirements adopted by the United States consumer product safety commission, 16 C.F.R. part 1512.*

(f) (1) *An electric-assisted bicycle may be ridden in places where bicycles are allowed, including, but not limited to, streets, highways, roadways, bicycle lanes, bicycle or multi-use paths, trails or trail networks.*

(2) *This subsection shall not be construed to prevent a city, through the exercise of its home rule powers, from adopting an ordinance governing the operation of electric-assisted bicycles on streets, highways, roadways, sidewalks or sidewalk areas under the city's jurisdiction or to prevent a municipality, county or agency of the state having jurisdiction over a bicycle or multi-use path, trail or trail network from restricting or prohibiting the operation of an electric-assisted bicycle or a specific class of electric-assisted bicycle on a bicycle or multi-use path, trail or trail network.*

(3) *Subsection (g)(1) shall not apply to a trail that is specifically designated as nonmotorized and that has a natural surface tread that is made by clearing and grading the native soil with no added surfacing materials. A local authority or state agency having jurisdiction over a trail described in this subsection may regulate the use of an electric-assisted bicycle on such trail.*

(g) *No person under 16 years of age may operate a class 3 electric-assisted bicycle. A person under 16 years of age may ride as a passenger on a class 3 electric-assisted bicycle that is designed to accommodate passengers.*

Sec. 10. K.S.A. 2021 Supp. 8-2401 is hereby amended to read as follows: 8-2401. As used in this act, ~~the following words and phrases shall have the meanings:~~

(a) "Vehicle dealer" means any person who: (1) For commission, money or other thing of value is engaged in the business of buying, selling or offering or attempting to negotiate a sale of an interest in vehicles; or (2) for commission, money or other thing of value is engaged in the business of buying, selling or offering or attempting to negotiate a sale of an interest in motor vehicles as an auction motor vehicle dealer as defined in subsection (bb); but does not include:

(A) Receivers, trustees, administrators, executors, guardians, or other persons appointed by or acting under the judgment or order of any court, or any bank, trustee or lending company or institution which is subject to state or federal regulations as such, with regard to its disposition of repossessed vehicles;

(B) public officers while performing their official duties;

(C) employees of persons enumerated in ~~provisions~~ *subparagraphs* (A) and (B), when engaged in the specific performance of their duties as such employees;

(D) auctioneers conducting auctions for persons enumerated in ~~provisions~~ *subparagraphs* (A), (B) or (C); or

(E) auctioneers who, while engaged in conducting an auction of tangible personal property for others, offer for sale: (i) Vehicles which have been used primarily in a farm or business operation by the owner offering the vehicle for sale, including all vehicles which qualified for a farm vehicle tag at the time of sale except vehicles owned by a business engaged primarily in the business of leasing or renting passenger cars; (ii) vehicles which meet the statutory definition of antique vehicles; or (iii) vehicles for no more than four principals or households per auction. All sales of vehicles exempted pursuant to ~~provision~~ *subparagraph* (E), except truck, truck tractors, pole trailers, trailers and semitrailers as defined by K.S.A. 8-126, and amendments thereto, shall be registered in Kansas prior to the sale.

(b) “New vehicle dealer” means any vehicle dealer who is a party to an agreement, with a first or second stage manufacturer or distributor, which agreement authorizes the vehicle dealer to sell, exchange or transfer new motor vehicles, trucks, motorcycles, or trailers or parts and accessories made or sold by such first or second stage manufacturer or distributor and obligates the vehicle dealer to fulfill the warranty commitments of such first or second stage manufacturer or distributor.

(c) “Used vehicle dealer” means any person actively engaged in the business of buying, selling or exchanging used vehicles.

(d) “Vehicle salesperson” means any person who is employed as a salesperson by a vehicle dealer to sell vehicles.

(e) “Board” means the vehicle dealer review board created by this act.

(f) “Director” means the director of vehicles, or a designee of the director.

(g) “Division” means the division of vehicles of the department of revenue.

(h) “Vehicle” means every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, and is required to be registered under the provisions of article 1 of chapter 8 of Kansas Statutes Annotated, *and amendments thereto*, except that ~~such term shall include~~ “vehicle” *includes* micro utility trucks, as defined in K.S.A. 8-126, and amendments thereto, but ~~shall~~ *does* not include motorized bicycles or *electric-assisted bicycles*, and ~~such term shall~~ *does* not include manufactured homes or mobile homes. As used ~~herein in this subsection~~, the terms “manufactured home” and “mobile home” ~~shall have the meanings ascribed to them~~ *mean the same as defined by* K.S.A. 58-4202, and amendments thereto.

(i) “Motor vehicle” means any vehicle, other than a motorized bicycle, ~~which or electric-assisted bicycle, that~~ is self-propelled and is required to be registered under the provisions of article 1 of chapter 8 of Kansas

Statutes Annotated, *and amendments thereto*, except that ~~such term shall include~~ “motor vehicle” *includes* micro utility trucks, as defined in K.S.A. 8-126, and amendments thereto.

(j) “Licensor” means the director or division or both.

(k) “First stage manufacturer” means any person who manufactures, assembles and sells new vehicles to new vehicle dealers for resale in this state.

(l) “Second stage manufacturer” means any person who assembles, installs or permanently affixes body, cab or special unit equipment to a chassis supplied by a first stage manufacturer, distributor or other supplier and sells the resulting new vehicles to new vehicle dealers for resale in this state.

(m) “First stage converter” means any person who is engaged in the business of affixing to a chassis supplied by a first stage manufacturer, distributor or other supplier, specially constructed body units to result in motor vehicles used as, but not limited to, buses, wreckers, cement trucks and trash compactors.

(n) “Second stage converter” means any person who is engaged in the business of adding to, subtracting from or modifying previously assembled or manufactured vehicles and sells the resulting converted vehicles at retail or wholesale.

(o) “Distributor” means any person who sells or distributes for resale new vehicles to new vehicle dealers in this state or who maintains distributor representatives in this state.

(p) “Wholesaler” means any person who purchases vehicles for the purpose of resale to a vehicle dealer.

(q) “Factory branch” means any branch office maintained in this state by a first or second stage manufacturer for the sale of new vehicles to distributors, or for the sale of new vehicles to new vehicle dealers, or for directing or supervising, in whole or in part, its representatives in this state.

(r) “Distributor branch” means any branch office similar to subsection (q) maintained by a distributor for the same purposes as a factory branch.

(s) “Factory representative” means a representative employed by a first or second stage manufacturer or factory branch for the purpose of making or promoting the sale of its new vehicles to new vehicle dealers, or for supervising or contacting its new vehicle dealers or prospective new vehicle dealers with respect to the promotion and sale of such vehicles and parts or accessories ~~for the same~~ *such vehicles*.

(t) “Distributor representative” means any representative similar to subsection (s) employed by a distributor or distributor branch for the same purpose as a factory representative.

(u) “Person” means any natural person, partnership, firm, corporation or association.

(v) “New motor vehicle” means any motor vehicle ~~which~~ *that* has never been titled or registered and has not been substantially driven or operated.

(w) “Franchise agreement” means any contract or franchise or any other terminology used to describe the contractual relationship between first or second stage manufacturers, distributors and vehicle dealers, by which:

(1) A right is granted one party to engage in the business of offering, selling or otherwise distributing goods or services under a marketing plan or system prescribed in substantial part by the other party, and in which there is a community of interest in the marketing of goods or services at wholesale or retail, by lease, agreement or otherwise; and

(2) the operation of the grantee’s business pursuant to such agreement is substantially associated with the grantor’s trademark, service mark, trade name, logotype, advertising or other commercial symbol designating the grantor or an affiliate of the grantor.

(x) “Broker” means any person who, for a fee, commission, money, other thing of value, valuable consideration or benefit, either directly or indirectly, arranges or offers to arrange a transaction involving the sale of a vehicle, or is engaged in the business of: (1) Selling or buying vehicles for other persons as an agent, middleman or negotiator; or (2) bringing buyers and sellers of vehicles together, but such term shall not include any person registered as a salvage vehicle pool or any person engaged in a business in which the acts described in this subsection are only incidentally performed or which are performed or authorized within the requirements or scope of any other category of license, or not prohibited, in the manner authorized by the vehicle dealers’ and manufacturers’ licensing act.

(y) “Salvage vehicle dealer” means any person engaged in the business of buying, selling or exchanging used vehicles and primarily engaged in the business of the distribution at wholesale or retail of used motor vehicle parts and includes establishments primarily engaged in dismantling motor vehicles for the purpose of selling parts.

(z) “Lending agency” means any person, desiring to be licensed under this act and engaged in the business of financing or lending money to any person to be used in the purchase or financing of a vehicle.

(aa) “Established place of business” means a building or structure, other than a building or structure all or part of which is occupied or used as a residence, owned either in fee or leased and designated as an office or place to receive mail and keep records and conduct the routine of business. To qualify as an established place of business, there shall be located therein an operable telephone which shall be listed with the telephone company under the name of the licensed business, except that a vehicle dealer who

derives at least 50% of such person's income from operating a farm as a resident thereof, the established place of business may be the farm residence of such vehicle dealer and the operable telephone may be located in such residence when such dealer engages only in vehicles and equipment not required to have vehicle registration to travel on a highway.

(bb) "Auction motor vehicle dealer" means any person who for commission, money or other thing of value is engaged in an auction of motor vehicles except that the sales of such motor vehicles shall involve only motor vehicles owned by licensed motor vehicle dealers and sold to licensed motor vehicle dealers, except that any auction motor vehicle dealer, registered as such and lawfully operating prior to June 30, 1980, shall be deemed to be and have been properly licensed under this act from and after July 1, 1980. For the purposes of this subsection, an auction is a private sale of motor vehicles where any and all licensed motor vehicle dealers who choose to do so are permitted to attend and offer bids and the private sale of such motor vehicles is to the highest bidder.

(cc) "Licensee" means any person issued a valid license pursuant to this act.

(dd) "Dealer" means a vehicle dealer as defined by this act, unless the context otherwise requires.

(ee) "Insurance company" means any person desiring to be licensed under this act and engaged in the business of writing or servicing insurance related to vehicles.

(ff) "Supplemental place of business" means a business location other than that of the established place of business of the dealer which may be operated by the dealer on a continuous year-round basis and, for new vehicle dealers, is within the defined area of responsibility in their franchise agreement, and for all other dealers is within the same city or county where the established place of business of the dealer is operated.

(gg) "Salvage yard" means the place owned or leased and regularly occupied by a person, firm or corporation licensed under the provisions of this act for the principal purpose of engaging in the business of a salvage vehicle dealer. Salvage yard shall include the location where the:

- (1) Products for sale are displayed and offered for sale;
- (2) books and records required for the conduct of the business are maintained;
- (3) records are kept in the normal daily business activity; and
- (4) records are made available for inspection.

(hh) "Salvage vehicle pool" means any person who as an agent for a third party is primarily engaged in the business of storing, displaying and offering for sale salvage vehicles.

(ii) "Major component part" means any vehicle part including the front clip, rear clip, doors, frame, chassis, engine, transmission, transaxle,

cab, bed and box bearing the public vehicle identification number or engine number, if manufactured prior to 1981; or any vehicle part bearing a derivative of such number.

(jj) “Recreational motor vehicle” means a recreational vehicle as defined by ~~subsection (f) of K.S.A. 75-1212(f)~~, and amendments thereto.

(kk) “Vehicle crusher” means any person, other than a vehicle recycler or a scrap metal recycler, who engages in the business of flattening, crushing or otherwise processing nonrepairable vehicles for recycling. Vehicle crushers include, but are not limited to, persons who use fixed or mobile equipment to flatten or crush nonrepairable vehicles for a vehicle recycler or a scrap metal recycler.

(ll) “Vehicle recycler” means a person who engages in the business of acquiring, dismantling, removing parts from or destroying nonrepairable vehicles for the primary purpose of reselling the vehicle parts.

(mm) “Scrap metal recycler” means a person who engages in the business of shredding or otherwise processing nonrepairable vehicles or other scrap metal into prepared grades and whose principal product is scrap iron, scrap steel or nonferrous metallic scrap for sale for remelting purposes.

(nn) “Nonrepairable vehicle” means any motor vehicle which: (1) Has been damaged, destroyed, wrecked, burned or submerged in water to the extent that such motor vehicle is incapable of safe operation for use on roads or highways and has no resale value except as a source of parts or scrap only; or (2) the owner irreversibly designates as a source of parts or scrap.

(oo) “Rebuilder” means a person who is engaged in the business of rebuilding salvage vehicles, as defined in K.S.A. 8-196, and amendments thereto, and selling such rebuilt salvage vehicles.

Sec. 11. K.S.A. 32-701 is hereby amended to read as follows: 32-701. As used in the wildlife, parks and tourism laws of this state, unless the context otherwise requires or specifically defined otherwise:

(a) “Big game animal” means any antelope, deer or elk.

(b) “Commission” means the Kansas wildlife, ~~and parks and tourism~~ commission created by K.S.A. 32-805, and amendments thereto.

(c) “Department” means the Kansas department of wildlife, ~~and parks and tourism~~.

(d) “Fish,” as a verb, means take, in any manner, any fish.

(e) “Furbearing animal” means any badger, beaver, bobcat, grey fox, lynx, marten, mink, muskrat, opossum, otter, raccoon, red fox, spotted skunk, striped skunk, swift fox or weasel.

(f) “Furharvest” means:

(1) Take, in any manner, any furbearing animal; or

(2) trap or attempt to trap any coyote.

(g) “Game animal” means any big game animal, wild turkey or small game animal.

(h) “Game bird” means any grouse, partridge, pheasant, prairie chicken or quail.

(i) “Hunt” means:

(1) Take, in any manner, any wildlife other than a fish, bullfrog, furbearing animal or coyote; or

(2) take, in any manner other than by trapping, any coyote.

(j) “Motor vehicle” means a vehicle, other than a motorized wheelchair or *electric-assisted bicycle*, ~~which~~ *that* is self-propelled.

(k) “Motorized wheelchair” means any self-propelled vehicle designed specifically for use by a physically disabled person that is incapable of a speed in excess of 15 miles per hour.

(l) “Nonresident” means any person who has not been a bona fide resident of this state for the immediately preceding 60 days.

(m) “On a commercial basis” means for valuable consideration.

(n) “Person” means any individual or any unincorporated association, trust, partnership, public or private corporation or governmental entity, including foreign governments, or any officer, employee, agent or agency thereof.

(o) “Private water fishing impoundment” means one or more water impoundments:

(1) Constructed by man rather than natural, located wholly within the boundary of the lands owned or leased by the person operating the private water impoundments; and

(2) entirely isolated from other surface water so that the impoundment does not have any connection either continuously or at intervals, except during periods of floods, with streams or other bodies of water so as to permit the fish to move between streams or other bodies of water and the private water impoundments, except that the private water impoundments may be connected with a stream or other body of water by a pipe or conduit if fish will be prevented at all times from moving between streams or other bodies of water and the private water impoundment by screening the flow or by other means.

(p) “Resident” means any person who has maintained the person’s place of permanent abode in this state for a period of 60 days immediately preceding the person’s application for any license, permit, stamp or other issue of the department. Domiciliary intent is required to establish that a person is maintaining the person’s place or permanent abode in this state. Mere ownership of property is not sufficient to establish domiciliary intent. Evidence of domiciliary intent includes, without limitation, the location where the person votes, pays personal income taxes or obtains a driver’s license.

(q) “Secretary” means the secretary of wildlife, *and parks and tourism*.

(r) “Small game” means any game bird, hare, rabbit or squirrel.

(s) “Species” includes any subspecies of wildlife and any other group of wildlife of the same species or smaller taxa in common spatial arrangement that interbreed when mature.

(t) “Take” means harass, harm, pursue, shoot, wound, kill, molest, trap, capture, collect, catch, possess or otherwise take, or attempt to engage in any such conduct.

(u) “Wildlife” means any member of the animal kingdom, including, without limitation, any mammal, fish, bird, amphibian, reptile, mollusk, crustacean, arthropod or other invertebrate, and includes any part, product, egg or offspring thereof, or the dead body or parts thereof. Wildlife does not include agricultural livestock~~—, including, but not limited to,~~ cattle, swine, sheep, goats, horses, mules and other equines~~), and poultry—, including, but not limited to,~~ domestic chickens, turkeys and guinea fowl~~).~~

Sec. 12. K.S.A. 8-1437, 8-1439a, 8-1489, 8-1592b and 32-701 and K.S.A. 2021 Supp. 8-126, 8-128, 8-1402a, 8-1438, 8-1498 and 8-2401 are hereby repealed.

Sec. 13. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 11, 2022.

CHAPTER 44

House Substitute for SENATE BILL, No. 28

AN ACT concerning insurance; relating to the regulation of pharmacy benefits managers; requiring licensure rather than registration of such entities; enacting the pharmacy benefits manager licensure act; amending K.S.A. 40-3821, 40-3822, 40-3823, 40-3824, 40-3825, 40-3826, 40-3827, 40-3829 and 40-3830 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. (a) A pharmacy benefits manager's license may be revoked, suspended or limited, the licensee may be censured or placed under probationary conditions or an application for a license or for reinstatement of a license may be denied upon a finding that the:

(1) Applicant or licensee committed fraud or misrepresentation in applying for or securing an original, renewal or reinstated license;

(2) licensee has violated any lawful rule or regulation promulgated by the commissioner or violated any lawful order or directive of the commissioner previously entered by the commissioner;

(3) pharmacy benefits manager has engaged in fraudulent activity that constitutes a violation of state or federal law;

(4) licensee has failed to furnish any information legally requested by the commissioner to the commissioner or the commissioner's investigators or representatives;

(5) pharmacy benefits manager has been determined by the commissioner to be in violation of or noncompliance with state or federal law; or

(6) pharmacy benefits manager has failed to timely submit a renewal application and the information required under K.S.A. 40-3824, and amendments thereto. In lieu of a denial of a renewal application, the commissioner may permit the pharmacy benefits manager to submit to the commissioner a corrective action plan to correct or cure any deficiencies.

(b) This section shall be a part of and supplemental to the pharmacy benefits manager licensure act.

Sec. 2. K.S.A. 40-3821 is hereby amended to read as follows: 40-3821. (a) K.S.A. 40-3821 through 40-3828, and amendments thereto, *and section 1, and amendments thereto*, shall be known and may be cited as the pharmacy benefits manager ~~registration~~ licensure act.

(b) *On and after January 1, 2023, a person shall not perform, act or do business in this state as a pharmacy benefits manager unless such person has a valid license issued by the commissioner pursuant to this act.*

(c) This act shall apply to any pharmacy benefits manager that provides claims processing services, other prescription drug or device services, or both, to covered persons who are residents of this state.

~~(e)~~(d) This act shall not apply to any pharmacy benefits manager that holds a certificate of registration as an administrator pursuant to K.S.A. 40-3810, and amendments thereto.

(e) *A license issued in accordance with the pharmacy benefits manager licensure act shall be nontransferrable.*

Sec. 3. K.S.A. 40-3822 is hereby amended to read as follows: 40-3822. ~~For purposes of~~ *As used in this act:*

(a) *“Act” means the pharmacy benefits manager licensure act.*

(b) *“Commissioner” means the commissioner of insurance as defined by K.S.A. 40-102, and amendments thereto.*

~~(b)~~(c) (1) *“Covered entity” means:*

(A) A nonprofit hospital or medical service corporation, health insurer, health benefit plan or health maintenance organization;

(B) a health program administered by a department or the state in the capacity of provider of health coverage; or

(C) an employer, labor union or other group of persons organized in the state that provides health coverage to covered individuals who are employed or reside in the state.

(2) *“Covered entity shall” does not include any:*

(A) Self-funded plan that is exempt from state regulation pursuant to ERISA;

(B) plan issued for coverage for federal employees; or

(C) health plan that provides coverage only for accidental injury, specified disease, hospital indemnity, medicare supplement, disability income, long-term care or other limited benefit health insurance policies and contracts.

~~(e)~~(d) *“Covered person” means a member, policyholder, subscriber, enrollee, beneficiary, dependent or other individual participating in a health benefit plan.*

~~(d)~~(e) *“Department” means the insurance department.*

(f) *“ERISA” means the federal employee retirement income security act of 1974.*

(g) *“Health benefit plan” means the same as defined in K.S.A. 40-4602, and amendments thereto.*

(h) *“Health insurer” means the same as defined in K.S.A. 40-4602, and amendments thereto.*

(i) *“Maximum allowable cost” or “MAC” means any term or methodology that a pharmacy benefits manager or a healthcare insurer may use to establish the maximum amount that a pharmacy benefits manager will reimburse a pharmacy or a pharmacist for generic drugs.*

(j) *“Pharmacy benefits management” means:*

(1) Any of the following services provided with regard to the administration of the following pharmacy benefits:

- (A) Mail service pharmacy;
- (B) claims processing, retail network management and payment of claims to pharmacies for prescription drugs dispensed to covered individuals;
- (C) clinical formulary development and management services;
- (D) rebate contracting and administration;
- (E) certain patient compliance, therapeutic intervention and generic substitution programs; or
- (F) disease management programs involving prescription drug utilization; and

(2) (A) the procurement of prescription drugs by a prescription benefits manager at a negotiated rate for dispensation to covered individuals within this state; or

(B) the administration or management of prescription drug benefits provided by a covered insurance entity for the benefit of covered individuals.

~~(e)~~(k) “Pharmacy benefits manager” means a person, business or other entity that performs pharmacy benefits management. “Pharmacy benefits manager” includes any person or entity acting in a contractual or employment relationship for a pharmacy benefits manager in the performance of pharmacy benefits management for a covered entity. ~~The term “Pharmacy benefits manager” shall~~ *does* not include a covered insurance entity.

~~(f)~~(l) “Person” means an individual, partnership, corporation, organization or other business entity.

Sec. 4. K.S.A. 40-3823 is hereby amended to read as follows: 40-3823. ~~Registration requirement to act as a pharmacy benefits manager.~~

(a) No person shall act or operate as a pharmacy benefits manager without first obtaining a valid ~~certificate of registration~~ *license* issued by the commissioner.

(b) Each person seeking a ~~certificate of registration~~ *license* to act as a pharmacy benefits manager shall file with the commissioner an application for a ~~certificate of registration~~ *license* upon a form to be furnished by the commissioner. *At a minimum*, the application form shall include *the following information*:

(1) *The name, address and telephone number of the pharmacy benefits manager.*

(2) The name, address, official position and professional qualifications of each individual who is responsible for the conduct of the affairs of the pharmacy benefits manager, including all members of the board of directors, board of trustees, executive committee, other governing board or committee, the principal officers in the case of a corporation, the partners or members in the case of a partnership or association ~~and any other per-~~

son who exercises control or influence over the affairs of the pharmacy benefits manager.

(2)(3) The name and address of the applicant's agent for service of process in the state.

(4) *The name, address, phone number, email address and official position of the employee who will serve as the primary contact for the department.*

(5) *A copy of the pharmacy benefits manager's corporate charter, articles of incorporation or other charter document.*

(6) *A template contract, which shall include a dispute resolution process, that ultimately involves an independent fact finder between:*

(A) *The pharmacy benefits manager and the health insurer; or*

(B) *the pharmacy benefits manager and the pharmacy or a pharmacy's contracting agent.*

(7) *A network adequacy report on a form prescribed by the department through rules and regulations.*

(3)(c) *A nonrefundable application fee of \$140 \$2,500.*

(d) *The licensee shall inform the commissioner, by any means acceptable to the commissioner, of any material change in the information required by this subsection within 90 days of such change. Failure to timely inform the commissioner of a material change may result in a penalty against the licensee in the amount of \$500.*

(e) *Within 90 days after receipt of a completed application, the network adequacy report and the applicable license fee, the commissioner shall review the application and issue a license if the applicant is deemed qualified under this section. If the commissioner determines that the applicant is not qualified, the commissioner shall notify the applicant and shall specify the reason for the denial.*

(f) (1) *All documents, materials or other information and copies thereof in the possession or control of the department or any other governmental entity that are obtained by or disclosed to the commissioner or any other person in the course of an application, examination or investigation made pursuant to this act shall be confidential by law and privileged, shall not be subject to any open records, freedom of information, sunshine or other public record disclosure laws, and shall not be subject to subpoena or discovery.*

(2) *The provisions of paragraph (1) shall only apply to the disclosure of the confidential documents described in paragraph (1) by the department or any other governmental entity and shall not be construed to create any privilege in favor of any other party.*

(3) *The provisions of this subsection shall expire on July 1, 2027, unless the legislature reviews and reenacts this provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2027.*

Sec. 5. K.S.A. 40-3824 is hereby amended to read as follows: 40-3824. (a) Each pharmacy benefits manager ~~registration~~ *license* shall expire on March 31 each year and may be renewed annually on the request of the ~~registrant licensee~~. The application for renewal shall be submitted on a form furnished by the commissioner and accompanied by a renewal fee of ~~\$140~~ \$2,500. The application for renewal shall be in such form and contain such matters as the commissioner prescribes.

(b) If a ~~registration~~ *license* renewal fee is not paid by the prescribed date, the amount of the fee, plus a penalty fee of ~~\$140~~ \$2,500 shall be paid. The pharmacy benefits manager ~~registration~~ *manager's license* may be revoked or suspended by the commissioner until the renewal fee and any penalty assessed has been paid.

(c) Any person who performs or is performing any pharmacy benefits management service ~~on the effective date of this act must obtain a certificate of registration~~ *shall be required to obtain a license* as a pharmacy benefits manager from the commissioner ~~within 90 days after the effective date of this act~~ *not later than January 1, 2023*, in order to continue to do business in Kansas.

Sec. 6. K.S.A. 40-3825 is hereby amended to read as follows: 40-3825.

(a) In accordance with the provisions of the rules and regulations filing act, K.S.A. 77-415 et seq., and amendments thereto, the commissioner may adopt, amend and revoke rules and regulations governing the administration and enforcement of this act, ~~including, but not~~ limited to:

- ~~(a)(1)~~ The content of the application form;
- ~~(b)(2)~~ the content of any other form or report required to implement this act; and
- ~~(c)(3)~~ such other rules and regulations as the commissioner may deem necessary to carry out the provisions of this act.

(b) *The commissioner shall adopt, amend and revoke all such necessary rules and regulations not later than July 1, 2023.*

Sec. 7. K.S.A. 40-3826 is hereby amended to read as follows: 40-3826.

(a) *If the commissioner has reason to believe that a pharmacy benefits manager has been engaged in this state or is engaging in this state in activity that violates the pharmacy benefits manager licensure act, the commissioner shall issue and serve upon such pharmacy benefits manager a statement of the charges of any such violation and conduct a hearing thereon in accordance with the provisions of the Kansas administrative procedure act.*

(b) *If, after such a hearing, the commissioner determines that the pharmacy benefits manager charged has violated the act, the commissioner may, in the exercise of discretion, order any one or more of the following:*

- (1) (A) *Payment of a monetary penalty of not more than \$1,000 for each and every act or violation. The total of the monetary penalties for such violations shall not exceed \$10,000;*

(B) if the pharmacy benefits manager knew or reasonably should have known that such manager was in violation of this act, payment of a monetary penalty of not more than \$5,000 for each and every act or violation. The total of the monetary penalties for such violations shall not exceed \$50,000 in any six-month period;

(2) if such manager knew or reasonably should have known such person was in violation of this act, the suspension or revocation of the pharmacy benefits manager's license; or

(3) the assessment of any costs incurred as a result of conducting the administrative hearing authorized by the provisions of this section against the pharmacy benefits manager.

(c) As used in this section, "costs" includes witness fees, mileage allowances, any costs associated with reproduction of documents that become a part of the hearing record and expenses of making a record of the hearing.

(d) (1) If the deadline for filing a petition for review has expired and no such petition has been filed, the commissioner may reopen and modify or set aside any portion or the entirety of any administrative order issued under this section.

(2) The reopening of any such order may occur if, in the commissioner's opinion, the conditions of fact or law have changed to warrant such an action or if such an action is warranted in the public interest.

(e) Any person who acts as a pharmacy benefits manager without being ~~registered~~ licensed as required by this act shall be subject to a fine of ~~\$500 for each~~ \$5,000 for the period in which the pharmacy benefits manager is found to be in violation.

Sec. 8. K.S.A. 40-3827 is hereby amended to read as follows: 40-3827. (a) There is hereby established in the state treasury the pharmacy benefits manager licensure fund. Such fund shall be administered by the commissioner for costs related to administering the pharmacy benefits manager licensing act. All expenditures from the pharmacy benefits manager licensure fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the commissioner or by the commissioner's designee.

(b) The commissioner shall remit all moneys received by or for the commissioner under the provisions of this act to the state treasurer ~~at least monthly in accordance with the provisions of K.S.A. 75-4215, and amendments thereto~~. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount thereof in the state treasury and such amount shall be credited to the pharmacy benefits manager ~~registration~~ licensure fund.

Sec. 9. K.S.A. 40-3829 is hereby amended to read as follows: 40-3829. As used in ~~this act~~ K.S.A. 40-3829 and 40-3830, and amendments thereto:

(a) “List” means the list of drugs for which maximum allowable costs have been established;

(b) “maximum allowable cost” or “MAC” means the ~~maximum amount that a pharmacy benefits manager will reimburse a pharmacy for the cost of a generic drug same as defined in K.S.A. 40-3822, and amendments thereto;~~

(c) “network pharmacy” means a pharmacy that contracts with a pharmacy benefits manager; ~~and~~

(d) “pharmacy benefits manager” or “PBM” ~~shall have the same meaning as means the same as defined in K.S.A. 40-3822(e), and amendments thereto;~~

(e) “*pharmacy benefits plan or pharmacy benefits program*” means a plan or program that pays for, reimburses, covers the cost of or otherwise provides for pharmacist services to individuals who reside in or are employed in this state; and

(f) “*wholesaler*” means a person or entity that sells and distributes prescription pharmaceutical products, including, but not limited to, a full line of brand name, generic and over-the-counter pharmaceuticals and that offers regular and private delivery to a pharmacy.

Sec. 10. K.S.A. 40-3830 is hereby amended to read as follows: 40-3830. A pharmacy benefits manager, *including the pharmacy benefits manager for the state healthcare benefits program, shall:*

(a) ~~Shall~~ Not place a drug on a MAC list unless there are at least two therapeutically equivalent multi-source generic drugs, or at least one generic drug available from at least one manufacturer, generally available for purchase by network pharmacies from national or regional wholesalers and the *national drug code for the drug* is not obsolete;;

(b) ~~Shall~~ provide to each network pharmacy at the beginning of the term of a contract and upon request thereafter, the sources utilized to determine the maximum allowable cost price;;

(c) ~~Shall~~ provide a process for each network pharmacy provider to readily access the maximum allowable price specific to that provider;;

(d) ~~Shall~~ review and update each applicable maximum allowable cost list every seven business days and apply the updates to reimbursements ~~no not~~ later than one business day;;

(e) ~~Shall~~ ensure that dispensing fees are not included in the calculation of maximum allowable cost;;

(f) ~~Shall~~ establish a process by which a network pharmacy may appeal reimbursement for a drug subject to maximum allowable cost as follows *reasonable administrative appeal procedure to allow a pharmacy or pharmacy’s contracting agent to challenge MAC for a specific drug as:*

(1) *Not meeting the requirements of this section;*

(2) *being below the cost at which the pharmacy may obtain the drug;*

- (g) *include in any administrative appeals procedure the following:*
- (1) *A dedicated telephone number and email address or website for the purpose of submitting administrative appeals; and*
 - (2) *the ability to submit an administrative appeal directly to the pharmacy benefits manager regarding the pharmacy benefits plan or program or through a pharmacy service administrative organization;*

~~The(h)~~ *permit a network pharmacy ~~must~~ or a network pharmacy's contracting agent to file an administrative appeal ~~no~~ not later than 10 business days after the fill date;*

(i) *require that the pharmacy benefits manager only request the following information to determine a MAC administrative appeal:*

- (1) *The prescription number;*
- (2) *the provider's name;*
- (3) *the national drug code used during the filing of the claim;*
- (4) *the date of the fill;*
- (5) *the reimbursement amount; and*
- (6) *such other information related to the appealed claim as required by contract; and*

~~(2)(j)~~ (1) *The PBM shall provide a response to the appealing network pharmacy ~~no~~ not later than 10 business days after receiving an appeal request containing information sufficient for the PBM pharmacy benefits manager to process the appeal as specified by the contract.*

~~(3)(2)~~ (2) *If the appeal is upheld, the PBM pharmacy benefits manager:*

(A) *Shall make the adjustment in the drug price effective ~~no~~ not later than one business day after the appeal is resolved;*

(B) *shall make the adjustment applicable to all similarly situated network pharmacy providers, as determined by the plan sponsor or pharmacy benefits manager, as appropriate; and*

(C) *permit the appealing pharmacy to reverse and rebill the appealed claim.*

~~(4)(3)~~ (3) *If the appeal is denied, the PBM pharmacy benefits manager shall provide the appealing pharmacy the reason for the denial and the national drug code number from a national or regional wholesaler operating in Kansas where the drug is generally available for purchase at a price equal to or less than the maximum allowable cost, and when applicable, may be substituted lawfully.*

Sec. 11. K.S.A. 40-3821, 40-3822, 40-3823, 40-3824, 40-3825, 40-3826, 40-3827, 40-3829 and 40-3830 are hereby repealed.

Sec. 12. This act shall take effect and be in force from and after its publication in the statute book.

CHAPTER 45

SENATE BILL No. 346

AN ACT concerning agriculture; relating to milk and dairy products; allowing on-farm retail sale of milk and milk products; extending certain milk and dairy license fees; authorizing the secretary of agriculture to declare an imminent health hazard; authorizing civil penalties for certain dairy law violations; relating to animals; transporting animals into the state; authorizing the animal health commissioner to assess a civil penalty for violations relating thereto; amending K.S.A. 47-607c, 65-771, 65-778, 65-781, 65-786 and 65-788 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. (a) Except as provided in article 7 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, and in rules and regulations adopted by the secretary hereunder, the secretary shall apply the definitions and standards of identity ascribed to milk and dairy products by the federal food and drug administration.

(b) Goat milk sold in retail packages shall contain not less than 2.5% milkfat and not less than 7.5% milk solids not fat. Goat milk shall be produced according to the sanitary standards of this act and may have been adjusted by separating part of the milkfat therefrom or by adding cream, concentrated milk, dry whole milk, skim milk, concentrated skim milk or nonfat dry milk thereto. Goat milk may be homogenized.

(c) Milk that is not goat milk shall contain not less than 3.25% milkfat and not less than 8.25% milk solids not fat. Milk may have been adjusted by separating part of the milkfat therefrom or by adding cream, concentrated milk, dry whole milk, skim milk, concentrated skim milk or nonfat dry milk thereto. Milk may be homogenized.

(d) Milk or cream for manufacturing purposes may contain less than 3.25% butterfat and shall be delivered pure, sweet and clean.

(e) Grade A pasteurized milk, grade A pasteurized milk products and grade A milk for pasteurization shall meet the requirements for grade A under the rules and regulations adopted pursuant to this act. The secretary may authorize the use of the grade A designation for a temporary time period on grade A pasteurized milk within the statewide system of milk inspection and regulatory services, even if such grade A pasteurized milk does not have at least a 90% survey rating.

New Sec. 2. (a) The on-farm retail sale of milk or milk products shall be lawful, so long as each container of unpasteurized raw milk sold or offered for sale bears a label that is clearly visible and states the following or its equivalent in a clearly visible font size: "Raw milk and Unpasteurized".

(b) Any person who engages in the on-farm retail sale of milk or milk products may advertise such milk or milk products. Any such advertisement shall not be false or misleading and shall state that such milk or milk

products are raw and unpasteurized. If such advertisement is in print or other written or visual form, this statement shall be clearly visible.

(c) In addition to any other remedies available under the act, the secretary may issue a civil penalty pursuant to K.S.A. 65-788, and amendments thereto, against any person who violates this section.

Sec. 3. K.S.A. 47-607c is hereby amended to read as follows: 47-607c.

(a) Any person or persons violating or failing who intentionally or knowingly violates or intentionally or knowingly fails to comply with the provisions of this act shall be deemed guilty of a class C nonperson misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000), or by imprisonment in the county jail not less than thirty (30) days nor more than one (1) year, or by both such fine and imprisonment.

(b) In addition to any other penalty provided by law, any person who violates K.S.A. 47-607, and amendments thereto, the special permit requirements of K.S.A. 47-607a, and amendments thereto, or rules and regulations promulgated pursuant to K.S.A. 47-607d, and amendments thereto, may incur a civil penalty in an amount not less than \$100 nor more than \$1,000 for each shipment into the state.

(c) No civil penalty shall be imposed pursuant to this section except upon the written order of the duly authorized agent of the animal health commissioner to the person who committed the violation. Such order shall state the violation, the civil penalty to be imposed and the right of the person to appeal to the commissioner. Within 20 days of such notification, any such person may make written request to the commissioner for a hearing in accordance with the Kansas administrative procedure act.

(d) Any civil penalty recovered pursuant to this section shall be remitted to the state treasurer in accordance with K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund.

(e) The animal health commissioner may require that any records related to animals and the suspected transportation of such animals into the state in violation of K.S.A. 47-607, and amendments thereto, the special permit requirements of K.S.A. 47-607a, and amendments thereto, or rules and regulations promulgated pursuant to K.S.A. 47-607d, and amendments thereto, in the possession of any person be submitted to the commissioner for review within a reasonable time. Failure to cooperate with any such request shall be considered a violation of this act.

Sec. 4. K.S.A. 65-771 is hereby amended to read as follows: 65-771. As used in this act:

(a) “Adulterated” ~~has means~~ the same meaning as provided in K.S.A. 65-664, and amendments thereto.

(b) “Bulk milk pick up tanker” means a vehicle, including the truck, tank and those appurtenances necessary for such vehicle’s use, used by a bulk milk hauler or sampler to transport bulk raw milk for pasteurization from a dairy farm to a milk plant, receiving station or transfer station.

(c) “Dairy manufacturing plants” means any place where dairy products, grade A milk or milk products are manufactured or prepared for sale or distribution, either at wholesale or retail. ~~This term shall “Dairy manufacturing plants” does not include a licensed food service establishment which that is licensed to manufacture homemade ice cream pursuant to this act.~~

(d) “Dairy products” means products ~~which that~~ may be made from milk or cream for manufacturing purposes and ~~which~~ are not required to meet grade A standards, ~~including~~ “Dairy products” includes butter, cheese, dry whole milk, nonfat dry milk, dry buttermilk, dry whey, evaporated milk, whole or skim, condensed whole milk, condensed skim milk, sweetened or plain, frozen dairy dessert, and frozen dairy dessert mixes and such other products as may be otherwise designated by rules and regulations.

(e) “Frozen dairy dessert” means ~~and includes~~ products containing milk or cream and other ingredients ~~which that~~ are frozen or semi-frozen prior to consumption, such as ice cream, ice milk or sherbet, including frozen dairy desserts for special dietary purposes.

(f) “Frozen dairy dessert mix” means the pasteurized unfrozen combination of all ingredients with or without fruits, fruit juices, candy, nut meats, flavor or harmless color ~~which that~~ makes a frozen dairy dessert.

~~(g) “Goat milk” means the normal lacteal secretion, practically free of colostrum, obtained by the complete milking of one or more healthy goats. Goat milk sold in retail packages shall contain not less than 2.5% milkfat and not less than 7.5% milk solids not fat. Goat milk shall be produced according to the sanitary standards of this act.~~

~~(h)~~(g) “Grade A pasteurized milk” means pasteurized milk ~~which that~~ has at least a 90% survey rating, as determined by a survey of the source conducted by the secretary pursuant to the survey rating methods for conducting surveys of the status of milk sanitation. ~~The milk shall meet the requirements for grade A under the rules and regulations adopted pursuant to this act. The secretary may authorize the use of the grade A designation for a temporary time period on grade A pasteurized milk within the statewide system of milk inspection and regulatory services, although such grade A pasteurized milk does not have at least a 90% survey rating.~~

~~(i)~~(h) “Grade A pasteurized milk products” means all pasteurized milk products ~~which that~~ have at least a 90% survey rating, as determined by a survey of the source conducted by the secretary pursuant to the survey rating methods for conducting surveys of the status of milk sanitation. ~~The~~

pasteurized milk products shall meet the requirements for grade A under rules and regulations adopted pursuant to this act. The secretary may authorize the use of the grade A designation for a temporary time period on grade A pasteurized milk products within the statewide system of milk inspection and regulatory services, although such grade A pasteurized milk products do not have at least a 90% survey rating.

~~(j)~~(i) “Grade A raw milk for pasteurization” means milk having at least 90% survey rating, as determined by a survey of the source conducted by the secretary pursuant to the survey rating methods for conducting surveys of the status of milk sanitation, the raw milk meeting the requirements for grade A under the rules and regulations adopted pursuant to this act. ~~The secretary may authorize the use of the grade A designation for a temporary time period on grade A raw milk for pasteurization within the statewide system of milk inspection and regulatory services, although such milk does not have at least a 90% survey rating.~~

(k) “Imminent health hazard” means any condition which involves milk, milk products, or dairy products, or any practice or procedure in the handling, transportation, storage, processing or manufacturing of a milk, milk product or dairy product which poses a significant threat of danger to the public health which should be corrected immediately to prevent injury or sickness and which should not be permitted to continue while a hearing or other proceeding is being conducted. An imminent health hazard may be declared at any point in a chain of events which ultimately may result in harm or danger to the public health. The occurrence of the final anticipated injury or other disease related condition shall not be a prerequisite for the establishment of the existence of an imminent health hazard.

~~(4)(j)~~ “Imminent health hazard” means any condition that involves milk, milk products or dairy products, or any practice or procedure in the handling, transportation, storage, processing or manufacturing of milk, milk product or dairy product that poses a significant threat of danger to the public health that should be corrected immediately to prevent injury or sickness and that should not be permitted to continue while a hearing or other proceeding is being conducted.

(k) “In package form” means any commodity put up or packaged in any manner in advance of sale so as to constitute a unit quantity of the commodity for either wholesale or retail sale, exclusive of any auxiliary container enclosing such packages ~~which~~ that individually conform to the requirements of this act.

~~(m)~~(l) “Milk” means the lacteal secretion, practically free from colostrum, obtained by the complete milking of one or more healthy ~~cows~~. ~~Milk that is in hooved mammals. Except for on-farm retail sale of milk or milk products, milk sold in final package form for beverage use shall have been pasteurized or ultrapasteurized, and shall contain not less than~~

~~8.25% milk solids not fat and not less than 3.25% milkfat. Milk may have been adjusted by separating part of the milkfat therefrom, or by adding thereto cream, concentrated milk, dry whole milk, skim milk, concentrated skim milk, or nonfat dry milk. Milk may be homogenized. Milk shall be interpreted to include goat milk.~~

~~(n)~~(m) “Milk distributor” means any person who first sells or offers for sale in Kansas any packaged grade A pasteurized milk, milk product, or dairy product.

~~(o)~~(n) “Milk ~~hauler/sampler~~ *hauler or sampler*” means any person who collects official samples and may transport raw milk from a farm or raw milk products to or from a milk plant or both, receiving station or transfer station and has in their possession a permit from any state to sample such products.

~~(p)~~(o) “Milk inspection and regulatory services” means the inspection, sampling, laboratory testing and the administrative procedures relating thereto, necessary to determine that the production, processing, distribution and sale of grade A milk, milk products, and dairy products comply with the requirements of this act and any rules and regulations adopted hereunder.

~~(q)~~(p) “Milk or cream for manufacturing purposes” means raw milk or raw cream ~~which that~~ is not subject to grade A standards and ~~which is~~ produced for processing and manufacturing into dairy products for human consumption. ~~Milk for manufacturing purposes may contain less than 3.25% of butterfat and shall be delivered pure, sweet and clean.~~

~~(r)~~(q) “Milk or cream receiving station” means any place where milk or cream may be received, collected, handled, processed, stored or collected and prepared for further transporting.

~~(s)~~(r) “Milk or cream transfer station” means any place where milk or cream are transferred directly from one milk tank truck to another.

~~(t)~~(s) “Milk plant” means any place, premises or establishment where milk or milk products are collected, handled, processed, stored, pasteurized, ultrapasteurized, aseptically processed, condensed, dried, packaged or prepared for distribution.

~~(u)~~(t) “Milk processor” means any person who operates any place, premises or establishment where grade A raw milk for pasteurization or milk or cream for manufacturing purposes is processed, pasteurized, bottled or prepared for distribution.

~~(v)~~(u) “Milk producer” means any person who owns or operates a dairy farm and who provides, sells or offers for sale grade A raw milk for pasteurization or milk or cream for manufacturing purposes to a milk plant, receiving station or transfer station.

~~(w)~~(v) “Milk products” means cream, light cream, light whipping cream, heavy cream, heavy whipping cream, whipped cream, whipped

light cream, sour cream, acidified sour cream, cultured sour cream, half-and-half, sour half-and-half, acidified sour half-and-half, cultured sour half-and-half, reconstituted or recombined milk and milk products, concentrated milk, concentrated milk products, nonfat skim milk, reduced fat or lowfat milk, frozen milk concentrate, eggnog, buttermilk, cultured milk, cultured reduced fat or lowfat milk, cultured nonfat skim milk, yogurt, lowfat yogurt, nonfat yogurt, acidified milk, acidified reduced fat or lowfat milk, acidified nonfat skim milk, low-sodium milk, low-sodium reduced fat or lowfat milk, low-sodium nonfat skim milk, lactose-reduced milk, lactose-reduced reduced fat or lowfat milk, lactose-reduced nonfat skim milk, aseptically processed and packaged milk and milk products, milk, reduced fat or lowfat milk or nonfat skim milk with added safe and suitable microbial organisms and any other milk product made by the addition or subtraction of milkfat or addition of safe and suitable optional ingredients for protein, vitamin or mineral fortification of milk products defined herein. “Milk products” ~~also include~~ *includes* those dairy foods made by modifying the federally standardized products listed in this section in accordance with 21 C.F.R. § 130.10, requirements for foods named by use of a nutrient content claim and a standardized term. Milk and milk products ~~which~~ *that* have been retort processed after packaging or ~~which have been~~ concentrated, condensed or dried are included in this definition only if they are used as an ingredient to produce any milk or milk product defined herein or if they are labeled as Grade A as adopted and described by rules and regulations promulgated under this act. Except as otherwise provided, ~~the term~~ “milk ~~shall~~ *products*” *does* not include dietary products, infant formula, ice cream or other desserts, butter or cheese.

~~(x)~~(w) “Milk tank truck” means the term used to describe both a bulk milk pick up tanker and a milk transport tank.

~~(y)~~(x) “Milk tank truck cleaning facility” means any place, premises or establishment, other than a milk plant, receiving station or transfer station, where a milk tank truck is cleaned and sanitized.

~~(z)~~(y) “Milk transport tank” means a vehicle including the truck and tank, used by a bulk milk hauler or sampler to transport bulk shipments of milk and milk products from a milk plant, receiving station or transfer station to another milk plant, receiving station or transfer station.

~~(aa)~~(z) “Milk transportation company” means the person, business or entity responsible for a milk tank truck.

~~(bb)~~(aa) “Misbranded” ~~has means~~ *means* the same meaning as ascribed to it as provided in K.S.A. 65-665, and amendments thereto.

~~(ee)~~(bb) “On-farm retail sales of milk or milk products” means the sale of *unpasteurized raw* milk or *unpasteurized raw* milk products on the farm by the producer from the production of the dairy herd to the

final consumer, so long as the person making such sales does not promote the sale of milk or milk products to the public in any manner other than by the erection of a sign upon the premises of the dairy farm. The advertisement upon any such sign shall state that such milk or milk products are raw and shall be in letters of a uniform size. Each container in which any unpasteurized milk is sold or offered for sale shall be clearly labeled as ungraded raw milk.

~~(dd)~~(cc) “Pasteurized” has means the same meaning as ascribed to it as provided in 21 C.F.R. §§ 131.3 and 135.3.

~~(ee)~~(dd) “Person” means any individual, plant operator, partnership, corporation, company, firm, trustee, association or institution.

~~(ff)~~(ee) “Plant fabricating single service articles” means any place ~~which~~ that manufactures single service articles ~~which~~ that are expected to come in contact with grade A milk or grade A milk products.

~~(gg)~~(ff) “Secretary” means the secretary of the Kansas department of agriculture, or the secretary’s designee.

~~(hh)~~(gg) “Single service article or container” means any container having a milk or milk product-contact surface and used in the packaging, handling, storage or servicing of grade A milk and is intended for one usage only.

Sec. 5. K.S.A. 65-778 is hereby amended to read as follows: 65-778. (a) Any person who engages in business as a dairy manufacturing plant shall first apply for and obtain a dairy manufacturing plant license from the secretary and shall pay a license fee of \$120, or commencing July 1, 2002, and ending June 30, ~~2023~~ 2028, a license fee of \$200.

(b) Any person who engages in business as a distributor of milk, milk products or dairy products shall first apply for and obtain a milk distributor license from the secretary and shall pay a license fee of \$120, or commencing July 1, 2002, and ending June 30, ~~2023~~ 2028, a license fee of \$200. No milk distributor license shall be required for a licensed dairy manufacturing plant which distributes only those products which it manufactures.

(c) Any person who engages in business as a milk hauler shall first apply for and obtain a milk hauler license from the secretary and shall pay a license fee of \$25 or commencing July 1, 2002, and ending June 30, ~~2023~~ 2028, a license fee of \$35. As part of the application, the secretary may require the applicant to be tested regarding proper procedures for sampling, testing and weighing milk or cream and state laws and rules and regulations.

(d) Any person who operates a milk or cream transfer station or milk or cream receiving station shall first apply for and obtain a milk or cream station license from the secretary and shall pay a license fee of \$50, or commencing July 1, 2002, and ending June 30, ~~2023~~ 2028, a license fee of \$100.

(e) Any person who engages in business as a manufacturer of single service dairy containers or manufacturer of single service dairy container closures shall first apply for and obtain a single service manufacturing license from the secretary and shall pay a license fee of \$50, or commencing July 1, 2002, and ending June 30, ~~2023~~ 2028, a license fee of \$100.

(f) Any person who operates a milk tank truck cleaning facility shall first apply for and obtain a milk tank truck cleaning facility license from the secretary and shall pay a license fee of \$100.

(g) Any license issued under this section shall be renewed annually.

(h) The dairy manufacturing plant license, milk distributor license, milk tank truck cleaning facility license, milk or cream station license and single service manufacturing license shall expire on December 31 of the year for which it was issued unless suspended or revoked by the secretary pursuant to this act. The milk hauler license shall expire on June 30 following the date of issuance unless suspended or revoked by the secretary pursuant to this act.

(i) No license issued under this section shall be transferable. No license shall be renewed if any assessments or fees required under this act are delinquent.

(j) Each applicant for a license or for the renewal of such license shall submit an application on a form supplied by the secretary accompanied by the license fee. All licenses shall be conspicuously displayed in the applicant's place of business.

(k) The secretary shall reduce any license fee in subsections (a) through (f) by adopting rules and regulations whenever the secretary determines that such fee is yielding more than is necessary for administering the provisions of this act. The secretary may increase any license fee in subsections (a) through (f) by adopting rules and regulations when such license fee is necessary to produce sufficient revenues for administering the provisions of this act. License fees in subsections (a) through (f) shall not be increased in excess of the maximum amounts provided in this section.

Sec. 6. K.S.A. 65-781 is hereby amended to read as follows: 65-781. The following fees for the statewide system of milk inspection and regulatory services are hereby established:

(a) A fee of \$.01, or commencing July 1, 2002, and ending June 30, ~~2023~~ 2028, a fee of \$.015 for each 100 pounds of milk produced by milk producers under Kansas grade A inspection shall be paid. Each producer is hereby charged with such fee, which shall be paid to the milk producers' cooperative, milk processor or milk distributor to whom the milk is sold or delivered. Each cooperative, processor or distributor is hereby charged with the duty of collecting such fees, which shall be remitted to the secretary.

(b) A fee of \$.01, or commencing July 1, 2002, and ending June 30, ~~2023~~ 2028, a fee of \$.02 for each 100 pounds of packaged grade A pasteurized milk or milk products sold in Kansas at retail to the final consumer shall be paid. Each distributor is hereby charged with such fee, which shall be remitted to the secretary.

(c) A fee of ~~\$.01~~ \$.0075, or commencing July 1, 2002, and ending June 30, ~~2023~~ 2028, a fee of \$.02 per 100 pounds or fraction thereof of grade A raw milk for pasteurization delivered to a milk processor within the state of Kansas ~~which~~ *that* is processed into grade A milk ~~or, grade A milk products or other dairy products~~ shall be paid. Each milk processor is hereby charged with such fee, which shall be remitted to the secretary. This fee shall not be paid if the milk is processed or manufactured at the dairy where such milk is produced and less than 7,000,000 pounds of milk are processed annually.

(d) A milk fee of \$.01, or commencing July 1, 2002, and ending June 30, ~~2023~~ 2028, a fee of \$.015 per 100 pounds of milk or cream for manufacturing purposes produced by milk producers under Kansas manufacturing grade milk inspection shall be paid. Each producer is hereby charged with such fee, which shall be paid to the milk producers' cooperative, dairy manufacturing plant or any other person to whom the milk or cream for manufacturing purposes is sold or delivered. Each cooperative, dairy manufacturing plant or other person is hereby charged with the duty of collecting such fees, which shall be remitted to the secretary.

(e) A fee of \$.0075, or commencing July 1, 2002, and ending June 30, ~~2023~~ 2028, a fee of \$.02 per 100 pounds of Kansas produced milk or cream for manufacturing purposes or other Kansas produced milk delivered to a dairy manufacturing plant shall be paid on all Kansas milk used in the manufacturing of dairy products. As used in this subsection, ~~the term "dairy products shall"~~ *does* not include any frozen dairy dessert or frozen dairy dessert mix. Each dairy manufacturing plant shall pay such fee, which shall be remitted to the secretary. This fee shall not be paid if the milk is processed or manufactured at the dairy where such milk is produced and less than 7,000,000 pounds of milk are processed annually.

(f) In lieu of the fee prescribed in subsection (e), a fee of \$1, or commencing July 1, 2002, and ending June 30, ~~2023~~ 2028, a fee of \$2 per thousand gallons of frozen dairy dessert or frozen dairy dessert mix shall be paid by the manufacturer thereof. Each manufacturer of frozen dairy dessert or frozen dairy dessert mix is hereby charged with such fee, which shall be remitted to the secretary. Frozen dairy dessert mix which is further processed into the corresponding frozen dairy dessert by the manufacturer of the frozen dairy dessert mix shall not be subject to the fee required by this subsection.

(g) A fee of \$1, or commencing July 1, 2002, and ending June 30, ~~2023~~ 2028, a fee of \$2 per thousand gallons of frozen dairy dessert or frozen dairy dessert mix imported for retail sale in Kansas shall be paid by the milk distributor who imports these products.

(h) A fee of \$50 for the annual inspection of a milk tank truck as required by this act. The milk transportation company that owns or leases the milk tank truck shall pay such fee, which shall be remitted to the secretary.

(i) If any fee computed pursuant to subsection (a) through (e) is less than \$2.50, then the sum of \$2.50 shall be paid in lieu of the computed fee. If any fee computed pursuant to subsection (f) or (g) is less than \$7.50, a minimum fee of \$7.50 shall be paid in lieu of the computed fee.

(j) All fees established herein shall be paid to the secretary in the following manner:

(1) The fees established in subsections (a) and (c) through (e) shall be remitted on or before the 30th day of each month for the calendar month immediately preceding and shall be accompanied by a report, in the form prescribed by the secretary, indicating the quantities upon which the remittance is based.

(2) The fees established in subsections (b), (f) and (g) shall be remitted on April 30, July 31, October 31 and January 31 for the three calendar months immediately preceding and shall be accompanied by a report, in the form prescribed by the secretary, indicating the quantities upon which the remittance is based.

(3) The fee established in subsection (h) shall be remitted within 60 days from the date of inspection.

(k) Any person who fails to remit all or any part of the required fee or to submit the required report by the date due may be assessed an additional charge equal to 1% of the amount of delinquent fees for each day after the date due, or \$5, whichever amount is greater.

(l) The secretary shall reduce any inspection fee in subsections (a) through (h) by adopting rules and regulations whenever the secretary determines that such fee is yielding more than is necessary for administering the provisions of this act. The secretary may increase any inspection fee in subsections (a) through (h) by adopting rules and regulations when such inspection fee is necessary to produce sufficient revenues for administering the provisions of this act. License fees in subsections (a) through (h) shall not be increased in excess of the maximum amounts provided in this section.

Sec. 7. K.S.A. 65-786 is hereby amended to read as follows: 65-786.

(a) If the secretary determines after notice and opportunity for a hearing that any person has engaged in or is engaging in any act or practice constituting a violation of any provision of this act or any rules and regulations or

order issued thereunder, the secretary may require that such person cease and desist from the unlawful act or practice and take such affirmative action as in the judgment of the secretary will carry out the purposes of the violated or potentially violated provision of this act or rules and regulations or order issued thereunder. Any such hearing shall be held by the secretary or a presiding officer from the office of administrative hearings.

(b) If the secretary makes written findings of fact that there is a situation involving an immediate danger to the public health, safety or welfare or that the public interest will be irreparably harmed by delay in issuing an order under subsection (a), the secretary may issue an emergency temporary cease and desist order. Such order, even when not an order within the meaning of K.S.A. 77-502, and amendments thereto, shall be subject to the same procedures as an emergency order issued under K.S.A. 77-536, and amendments thereto. Upon the entry of such an order, the secretary shall promptly notify the person subject to the order that:

- (1) It has been entered;
- (2) the reasons therefor; and
- (3) that upon written request from the person subject to the order within 15 days after service of the order the matter will be set for a hearing which shall be conducted in accordance with the provisions of the Kansas administrative procedure act. Any such hearing shall be held by the secretary or presiding officer from the office of administrative hearings. If no hearing is requested and none is ordered by the secretary, the order will remain in effect until it is modified or vacated by the secretary. If a hearing is requested or ordered the secretary, after giving notice of and opportunity for hearings to the person subject to the order, shall by written findings of fact and conclusions of law vacate, modify or make permanent the order.

(c) *When necessary to protect the public health, an imminent health hazard may be declared by the secretary at any point in a chain of events that ultimately may result in harm or danger to the public health. The occurrence of the final anticipated injury or other disease-related condition shall not be a prerequisite for the establishment of the existence of an imminent health hazard and the use of any authority granted pursuant to this act, including any action taken pursuant to subsection (a) or (b) or K.S.A. 65-780a or 65-785, and amendments thereto.*

Sec. 8. K.S.A. 65-788 is hereby amended to read as follows: 65-788. (a) Any licensee or any employee or agent thereof who violates any provision of this act or any rules and regulations promulgated thereunder *and any person who violates section 1, and amendments thereto*, in addition to any other penalty provided by law, may incur a civil penalty imposed under subsection (b) in the amount fixed by rules and regulations of the secretary in an amount not less than \$100 nor more than \$300 for each vi-

olation and, in the case of a continuing violation, every day such violation continues may be deemed a separate violation.

(b) No civil penalty shall be imposed pursuant to this section except upon the written order of the secretary to the licensee who committed the violation. Such order shall state the violation, the penalty to be imposed and the right of the licensee to appeal to the secretary. Any such licensee within 20 days after notification, may make written request to the secretary for a hearing in accordance with the provisions of the Kansas administrative procedure act. The secretary shall affirm, reverse or modify the order and shall specify the reasons therefor.

(c) ~~Any licensee~~ *person subject to and* aggrieved by a final order of the secretary made under this section may appeal such order to the district court in the manner provided by the Kansas judicial review act.

(d) Any civil penalty recovered pursuant to the provisions of this section shall be remitted to the state treasurer, deposited in the state treasury and credited to the state general fund.

Sec. 9. K.S.A. 47-607c, 65-771, 65-778, 65-781, 65-786 and 65-788 are hereby repealed.

Sec. 10. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 11, 2022.

CHAPTER 46

HOUSE BILL No. 2564

AN ACT concerning insurance; relating to the regulation thereof; pertaining to credit for reinsurance; risk-based capital requirements; updating requirements for when credit for reinsurance may be granted to an assuming insurer that is not licensed, accredited or certified to transact insurance or reinsurance in this state; updating the version of instructions in effect; amending K.S.A. 40-221a and 40-2c01 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 40-2c01 is hereby amended to read as follows: 40-2c01. As used in this act:

(a) “Adjusted RBC report” means an RBC report that has been adjusted by the commissioner in accordance with K.S.A. 40-2c04, and amendments thereto.

(b) “Corrective order” means an order issued by the commissioner specifying corrective actions that the commissioner has determined are required to address an RBC level event.

(c) “Domestic insurer” means any insurance company or risk retention group that is licensed and organized in this state.

(d) “Foreign insurer” means any insurance company or risk retention group not domiciled in this state that is licensed or registered to do business in this state pursuant to article 41 of chapter 40 of the Kansas Statutes Annotated, and amendments thereto, or K.S.A. 40-209, and amendments thereto.

(e) “NAIC” means the national association of insurance commissioners.

(f) “Life and health insurer” means any insurance company licensed under article 4 or 5 of chapter 40 of the Kansas Statutes Annotated, and amendments thereto, or a licensed property and casualty insurer writing only accident and health insurance.

(g) “Property and casualty insurer” means any insurance company licensed under articles 9, 10, 11, 12, 12a, 15 or 16 of chapter 40 of the Kansas Statutes Annotated, and amendments thereto, but ~~shall~~ *does* not include monoline mortgage guaranty insurers, financial guaranty insurers and title insurers.

(h) “Negative trend” means, with respect to a life and health insurer, a negative trend over a period of time, as determined in accordance with the “trend test calculation” included in the RBC instructions defined in subsection (j).

(i) “RBC” means risk-based capital.

(j) “RBC instructions” means the risk-based capital instructions promulgated by the NAIC that are in effect on December 31, ~~2020~~ 2021, or any later version promulgated by the NAIC as may be adopted by the commissioner under K.S.A. 40-2c29, and amendments thereto.

(k) “RBC level” means an insurer’s company action level RBC, regulatory action level RBC, authorized control level RBC, or mandatory control level RBC where:

(1) “Company action level RBC” means, with respect to any insurer, the product of 2.0 and its authorized control level RBC;

(2) “regulatory action level RBC” means the product of 1.5 and its authorized control level RBC;

(3) “authorized control level RBC” means the number determined under the risk-based capital formula in accordance with the RBC instructions; and

(4) “mandatory control level RBC” means the product of 0.70 and the authorized control level RBC.

(l) “RBC plan” means a comprehensive financial plan containing the elements specified in K.S.A. 40-2c06, and amendments thereto. If the commissioner rejects the RBC plan, and it is revised by the insurer, with or without the commissioner’s recommendation, the plan shall be called the “revised RBC plan.”

(m) “RBC report” means the report required by K.S.A. 40-2c02, and amendments thereto.

(n) “Total adjusted capital” means the sum of:

(1) An insurer’s capital and surplus or surplus only if a mutual insurer; and

(2) such other items, if any, as the RBC instructions may provide.

(o) “Commissioner” means the commissioner of insurance.

Sec. 2. K.S.A. 40-221a is hereby amended to read as follows: 40-221a. (a) Credit for reinsurance shall be allowed a domestic ceding insurer as either an asset or a reduction from liability on account of reinsurance ceded only when the reinsurer meets the requirements of paragraph (1), (2), (3), (4), (5), (6) or (7). Credit shall be allowed under paragraph (1), (2) or (3) only as respects cessions of those kinds or classes of business that the assuming insurer is licensed or otherwise permitted to write or assume in its state of domicile or, in the case of a United States branch of an alien assuming insurer, in the state through which it is entered and licensed to transact insurance or reinsurance. Credit shall be allowed only under paragraph (3) or (4) if the applicable requirements of paragraph ~~(7)~~ (8) have been satisfied.

(1) Credit shall be allowed when the reinsurance is ceded to an assuming insurer that is licensed to transact insurance or reinsurance in this state.

(2) Credit shall be allowed when the reinsurance is ceded to an assuming insurer that is accredited by the commissioner as a reinsurer in this state. In order to be eligible for accreditation, an assuming insurer must:

(A) File with the commissioner evidence of the assuming insurer's submission to this state's jurisdiction;

(B) submit to this state's authority to examine the assuming insurer's books and records;

(C) be licensed to transact insurance or reinsurance in at least one state, or in the case of a United States branch of an alien assuming insurer, be entered through and licensed to transact insurance or reinsurance in at least one state;

(D) file annually with the commissioner a copy of the assuming insurer's annual statement filed with the insurance department of the assuming insurer's state of domicile and a copy of the assuming insurer's most recent audited financial statement; and

(E) demonstrate to the satisfaction of the commissioner that it has adequate financial capacity to meet the assuming insurer's reinsurance obligations and is otherwise qualified to assume reinsurance from domestic insurers. An assuming insurer is deemed to meet this requirement as of the time of the assuming insurer's application if it maintains a surplus as regards policyholders in an amount not less than \$20,000,000 and its accreditation has not been denied by the commissioner within 90 days after submission of its application.

(3) (A) Credit shall be allowed when the reinsurance is ceded to an assuming insurer that is domiciled in, or in the case of a United States branch of an alien assuming insurer is entered through, a state that employs standards regarding credit for reinsurance substantially similar to those applicable under this statute and the assuming insurer or United States branch of an alien assuming insurer:

(i) Maintains a surplus as regards policyholders in an amount not less than \$20,000,000; and

(ii) submits to the authority of this state to examine the assuming insurer's books and records.

(B) The requirement of subsection (a)(3)(A)(i) does not apply to reinsurance ceded and assumed pursuant to pooling arrangements among insurers in the same holding company system.

(4) (A) Credit shall be allowed when the reinsurance is ceded to an assuming insurer that maintains a trust fund in a qualified United States financial institution, as defined in subsection (c)(2), for the payment of the valid claims of the assuming insurer's United States ceding insurers, their assigns and successors in interest. To enable the commissioner to determine the sufficiency of the trust fund, the assuming insurer shall report annually to the commissioner information substantially the same as that required to be reported on the national association of insurance commissioners annual statement form by licensed insurers. The assuming insurer shall submit to examination of its books and records by the commissioner and bear the expense of examination;

(B) (i) credit for reinsurance shall not be granted under this subsection unless the form of the trust and any amendments to the trust have been approved by either of the following:

(a) The commissioner of the state where the trust is domiciled; or
(b) the commissioner of another state who, pursuant to the terms of the trust instrument, has accepted principal regulatory oversight of the trust.

(ii) The form of the trust and any trust amendments also shall be filed with the commissioner of every state in which the ceding insurer's beneficiaries of the trust are domiciled. The trust instrument shall provide that contested claims shall be valid and enforceable upon the final order of any court of competent jurisdiction in the United States. The trust shall vest legal title to the trust's assets in its trustees for the benefit of the assuming insurer's United States ceding insurers, their assigns and successors in interest. The trust and the assuming insurer shall be subject to examination as determined by the commissioner.

(iii) The trust shall remain in effect for as long as the assuming insurer has outstanding obligations due under the reinsurance agreements subject to the trust. No later than February 28 of each year, the trustee of the trust shall report to the commissioner in writing the balance of the trust and the listing of the trust's investments at the preceding year-end and shall certify the date of termination of the trust, if so planned, or certify that the trust will not expire prior to the following December 31.

(C) The following requirements apply to the following categories of the assuming insurer:

(i) The trust fund for a single assuming insurer shall consist of funds in trust in an amount not less than the assuming insurer's liabilities attributable to reinsurance ceded by United States ceding insurers, and, in addition, the assuming insurer shall maintain a trusteed surplus of not less than \$20,000,000, except as provided in subsection (a)(4)(C)(ii).

(ii) At any time after the assuming insurer has permanently discontinued underwriting new business secured by the trust for at least three full years, the commissioner with principal regulatory oversight of the trust may authorize a reduction in the required trusteed surplus, but only after a finding, based on an assessment of the risk, that the new required surplus level is adequate for the protection of United States ceding insurers, policyholders and claimants in light of reasonably foreseeable adverse loss development. The risk assessment may involve an actuarial review, including an independent analysis of reserves and cash flows, and shall consider all material risk factors, including, when applicable, the lines of business involved, the stability of the incurred loss estimates and the effect of the surplus requirements on the assuming insurer's liquidity or solvency. The minimum required trusteed surplus shall not be reduced to an

amount less than 30% of the assuming insurer's liabilities attributable to reinsurance ceded by United States ceding insurers covered by the trust;

(iii) (a) in the case of a group including incorporated and individual unincorporated underwriters, all of the following requirements are met:

(1) For reinsurance ceded under reinsurance agreements with an inception, amendment or renewal date on or after January 1, 1993, the trust shall consist of a trustee account in an amount not less than the respective underwriters' several liabilities attributable to business ceded by United States domiciled ceding insurers to any underwriter of the group;

(2) for reinsurance ceded under reinsurance agreements with an inception date on or before December 31, 1992, and not amended or renewed after that date, notwithstanding the other provisions of this act, the trust shall consist of a trustee account in an amount not less than the respective underwriters' several insurance and reinsurance liabilities attributable to business written in the United States; and

(3) in addition to the trusts described in subsections (a)(4)(B)(iii)(a)(1) and (a)(4)(B)(iii)(a)(2), the group shall maintain in trust a trustee surplus of which \$100,000,000 shall be held jointly for the benefit of the United States domiciled ceding insurers of any member of the group for all years of account.

(b) The incorporated members of the group shall not be engaged in any business other than underwriting as a member of the group and shall be subject to the same level of regulation and solvency control by the group's domiciliary regulator as are the unincorporated members of the group; and

(c) within 90 days after its financial statements are due to be filed with the group's domiciliary regulator, the group shall provide to the commissioner an annual certification by the group's domiciliary regulator of the solvency of each underwriter member, or if a certification is unavailable, financial statements prepared by independent public accountants of each underwriter member of the group.

(iv) In the case of a group of incorporated underwriters under common administration, the group shall meet all of the following requirements:

(a) Have continuously transacted an insurance business outside the United States for at least three years immediately prior to making application for accreditation;

(b) maintain an aggregate policyholders' surplus of at least \$10,000,000,000;

(c) maintain a trust fund in an amount not less than the group's several liabilities attributable to business ceded by United States domiciled ceding insurers to any member of the group pursuant to reinsurance contracts issued in the name of the group;

(d) in addition, maintain a joint trusted surplus of which \$100,000,000 shall be held jointly for the benefit of United States domiciled ceding insurers of any member of the group as additional security for these liabilities; and

(e) within 90 days after the group's financial statements are due to be filed with the group's domiciliary regulator, make available to the commissioner an annual certification of each underwriter member's solvency by the member's domiciliary regulator and financial statements of each underwriter member of the group prepared by its independent public accountant.

(5) Credit shall be allowed when the reinsurance is ceded to an assuming insurer that has been certified by the commissioner as a reinsurer in this state and the reinsurer secures its obligations in accordance with the following requirements:

(A) In order to be eligible for certification, the assuming insurer shall meet all of the following requirements:

(i) Be domiciled and licensed to transact insurance or reinsurance in a qualified jurisdiction, as determined by the commissioner pursuant to subsection (a)(5)(C);

(ii) maintain minimum capital and surplus, or its equivalent, in an amount to be determined by the commissioner pursuant to regulation;

(iii) maintain financial strength ratings from two or more rating agencies deemed acceptable by the commissioner pursuant to regulation;

(iv) agree to submit to the jurisdiction of this state, appoint the commissioner as the assuming insurer's agent for service of process in this state, and agree to provide security for 100% of the assuming insurer's liabilities attributable to reinsurance ceded by United States ceding insurers if the assuming insurer resists enforcement of a final United States judgment;

(v) agree to meet applicable information filing requirements as determined by the commissioner, both with respect to an initial application for certification and on an ongoing basis; and

(vi) satisfy any other requirements for certification deemed relevant by the commissioner.

(B) An association including incorporated and individual unincorporated underwriters may be a certified reinsurer. In order to be eligible for certification, in addition to satisfying the requirements of subsection (a)(5)(A) and all of the following requirements:

(i) The association shall satisfy its minimum capital and surplus requirements through the capital and surplus equivalents, net of liabilities, of the association and its members, that shall include a joint central fund that may be applied to any unsatisfied obligation of the association or any of its members, in an amount determined by the commissioner to provide adequate protection;

(ii) the incorporated members of the association shall not be engaged in any business other than underwriting as a member of the association and shall be subject to the same level of regulation and solvency control by the association's domiciliary regulator as are the unincorporated members of the association; and

(iii) within 90 days after the association's financial statements are due to be filed with the association's domiciliary regulator, the association shall provide to the commissioner an annual certification by the association's domiciliary regulator of the solvency of each underwriter member. If a certification is unavailable, financial statements prepared by independent public accountants of each underwriter member of the association shall be provided instead.

(C) The commissioner shall create and publish a list of qualified jurisdictions under which an assuming insurer licensed and domiciled in such jurisdiction is eligible to be considered for certification by the commissioner as a certified reinsurer.

(i) In order to determine whether the domiciliary jurisdiction of a non-U.S. assuming insurer is eligible to be recognized as a qualified jurisdiction, the commissioner shall evaluate the appropriateness and effectiveness of the reinsurance supervisory system of the jurisdiction, both initially and on an ongoing basis, and consider the rights, benefits and the extent of reciprocal recognition afforded by the non-U.S. jurisdiction to reinsurers licensed and domiciled in the United States. In order to be recognized as a qualified jurisdiction, a jurisdiction must agree to share information and cooperate with the commissioner with respect to all certified reinsurers domiciled within that jurisdiction. A jurisdiction shall not be recognized as a qualified jurisdiction if the commissioner has determined that the jurisdiction does not adequately and promptly enforce final United States judgments and arbitration awards. Additional factors may be considered in the discretion of the commissioner.

(ii) A list of qualified jurisdictions shall be published through the national association of insurance commissioners' process. The commissioner shall consider this list in determining qualified jurisdictions. If the commissioner recognizes a jurisdiction as qualified that does not appear on the list of qualified jurisdictions, the commissioner shall provide thoroughly documented justification in accordance with criteria to be developed under rules and regulations.

(iii) United States jurisdictions that meet the requirement for accreditation under the national association of insurance commissioners' financial standards and accreditation program shall be recognized as qualified jurisdictions.

(iv) If a certified reinsurer's domiciliary jurisdiction ceases to be a qualified jurisdiction, the commissioner has the discretion to suspend the reinsurer's certification indefinitely, in lieu of revocation.

(D) The commissioner shall assign a rating to each certified reinsurer, giving due consideration to the financial strength ratings that have been assigned by rating agencies deemed acceptable to the commissioner pursuant to rules and regulations. The commissioner shall publish a list of all certified reinsurers and their ratings.

(E) A certified reinsurer shall secure obligations assumed from United States ceding insurers under this subsection at a level consistent with the certified reinsurer's rating, as specified in rules and regulations promulgated by the commissioner.

(i) In order for a domestic ceding insurer to qualify for full financial statement credit for reinsurance ceded to a certified reinsurer, the certified reinsurer shall maintain security in a form acceptable to the commissioner and consistent with the provisions of subsection (b), or in a multi-beneficiary trust in accordance with subsection (a)(4), except as otherwise provided in this subsection.

(ii) If a certified reinsurer maintains a trust to fully secure its obligations subject to subsection (a)(4), and chooses to secure its obligations incurred as a certified reinsurer in the form of a multi-beneficiary trust, the certified reinsurer shall maintain separate trust accounts for its obligations incurred under reinsurance agreements issued or renewed as a certified reinsurer with reduced security as permitted by this subsection or comparable laws of other United States jurisdictions and for its obligations subject to subsection (a)(4). It shall be a condition to the grant of certification under subsection (a)(5) that the certified reinsurer shall have bound itself, by the language of the trust and agreement with the commissioner who has principal regulatory oversight of each such trust account, to fund, upon termination of any such trust account, any deficiency of any other such trust account out of the remaining surplus of the terminated trust account.

(iii) The minimum trustee surplus requirements provided in subsection (a)(4) are not applicable with respect to a multi-beneficiary trust maintained by a certified reinsurer for the purpose of securing obligations incurred under this subsection, except that such trust shall maintain a minimum trustee surplus of \$10,000,000.

(iv) With respect to obligations incurred by a certified reinsurer under this subsection, if the security is insufficient, the commissioner shall reduce the allowable credit by an amount proportionate to the deficiency, and the commissioner has the discretion to impose further reductions in allowable credit upon finding there is a material risk that the certified reinsurer's obligations will not be paid in full when due.

(v) For purposes of this subsection, a certified reinsurer whose certification has been terminated for any reason shall be treated as a certified reinsurer required to secure 100% of its obligations.

(a) As used in this paragraph, the term “terminated” includes revocation, suspension, voluntary surrender and inactive status.

(b) If the commissioner continues to assign a higher rating as permitted by other provisions of this subsection, this requirement does not apply to a certified reinsurer in inactive status or to a reinsurer whose certification has been suspended.

(F) If an assuming insurer applying for certification as a reinsurer in this state has been certified as a reinsurer in another jurisdiction accredited by the national association of insurance commissioners, the commissioner has the discretion to defer to that jurisdiction’s certification, and has the discretion to defer to the rating assigned by that jurisdiction, and such assuming insurer shall be considered to be a certified reinsurer in this state.

(G) A certified reinsurer that ceases to assume new business in this state may request to maintain the reinsurer’s certification in inactive status in order to continue to qualify for a reduction in amount of security required for the reinsurer’s in force business. An inactive certified reinsurer shall continue to comply with all applicable requirements of this subsection, and the commissioner shall assign a rating that takes into account, if relevant, the reasons why the reinsurer is not assuming new business.

(6)(A) Credit shall be allowed when the reinsurance is ceded to an assuming insurer meeting each of the conditions set forth below.

(i) The assuming insurer must have its head office or be domiciled in, as applicable, and be licensed in a reciprocal jurisdiction. A “reciprocal jurisdiction” is a jurisdiction that meets one of the following:

(a) A non-U.S. jurisdiction that is subject to an in-force covered agreement with the United States, each within its legal authority, or, in the case of a covered agreement between the United States and the European Union, is a member state of the European Union. For purposes of this subsection, a “covered agreement” is an agreement entered into pursuant to Dodd-Frank wall street reform and consumer protection act, 31 U.S.C. §§ 313 and 314, that is currently in effect or in a period of provisional application and addresses the elimination, under specified conditions, of collateral requirements as a condition for entering into any reinsurance agreement with a ceding insurer domiciled in this state or for allowing the ceding insurer to recognize credit for reinsurance;

(b) a United States jurisdiction that meets the requirements for accreditation under the national association of insurance commissioners financial standards and accreditation program; or

(c) a qualified jurisdiction, as determined by the commissioner pursuant to subsection (a)(5)(C), that is not otherwise described in subsection (a)(6)(A)(i)(a) or (b) and that meets certain additional requirements, consistent with the terms and conditions of in-force covered agreements, as specified by the commissioner.

(ii) The assuming insurer shall have and maintain, on an ongoing basis, minimum capital and surplus, or its equivalent, calculated according to the methodology of its domiciliary jurisdiction, in an amount to be set forth by the commissioner. If the assuming insurer is an association, including incorporated and individual unincorporated underwriters, it shall have and maintain, on an ongoing basis, minimum capital and surplus equivalents, net of liabilities, calculated according to the methodology applicable in its domiciliary jurisdiction, and a central fund containing a balance in amounts to be set forth by the commissioner.

(iii) The assuming insurer shall have and maintain, on an ongoing basis, a minimum solvency or capital ratio, as applicable, to be set forth by the commissioner. If the assuming insurer is an association, including incorporated and individual unincorporated underwriters, it shall have and maintain, on an ongoing basis, a minimum solvency or capital ratio in the reciprocal jurisdiction where the assuming insurer has its head office or is domiciled, as applicable, and is also licensed.

(iv) The assuming insurer shall agree and provide adequate assurance to the commissioner, in a form specified by the commissioner, as follows:

(a) The assuming insurer shall provide prompt written notice and explanation to the commissioner if it falls below the minimum requirements set forth in subsection (a)(6)(A)(ii) or (iii), or if any regulatory action is taken against the assuming insurer for serious noncompliance with applicable law;

(b) the assuming insurer shall consent in writing to the jurisdiction of the courts of this state and to the appointment of the commissioner as the assuming insurer's agent for service of process. The commissioner may require that consent for service of process be provided to the commissioner and included in each reinsurance agreement. Nothing in this provision shall limit, or in any way alter, the capacity of parties to a reinsurance agreement to agree to alternative dispute resolution mechanisms, except to the extent such agreements are unenforceable under applicable insolvency or delinquency laws;

(c) the assuming insurer shall consent in writing to pay all final judgments, wherever enforcement is sought, obtained by a ceding insurer or its legal successor, that have been declared enforceable in the jurisdiction where the judgment was obtained;

(d) each reinsurance agreement shall include a provision requiring the assuming insurer to provide security in an amount equal to 100% of the assuming insurer's liabilities attributable to reinsurance ceded pursuant to that agreement if the assuming insurer resists enforcement of a final judgment that is enforceable under the law of the jurisdiction in which it was obtained or a properly enforceable arbitration award, whether obtained by the ceding insurer or by its legal successor on behalf of its resolution estate; and

(e) the assuming insurer shall confirm that it is not presently participating in any solvent scheme of arrangement that involves this state's ceding insurers, agree to notify the ceding insurer and the commissioner and to provide security in an amount equal to 100% of the assuming insurer's liabilities to the ceding insurer, should the assuming insurer enter into such a solvent scheme of arrangement. Such security shall be in a form consistent with the provisions of subsections (a)(5) and (b) and as specified by the commissioner.

(v) The assuming insurer or its legal successor shall provide, if requested by the commissioner, on behalf of itself and any legal predecessors, certain documentation to the commissioner, as specified by the commissioner.

(vi) The assuming insurer shall maintain a practice of prompt payment of claims under reinsurance agreements.

(vii) The assuming insurer's supervisory authority must confirm to the commissioner on an annual basis, as of the preceding December 31 or at the annual date otherwise statutorily reported to the reciprocal jurisdiction, that the assuming insurer complies with the requirements set forth in subsection (a)(6)(A)(ii) or (iii).

(viii) Nothing in this provision precludes an assuming insurer from providing the commissioner with information on a voluntary basis.

(B) The commissioner shall timely create and publish a list of reciprocal jurisdictions.

(i) A list of reciprocal jurisdictions is published through the national association of insurance commissioners committee process. The commissioner's list shall include any reciprocal jurisdiction, as defined under subsections (a)(6)(A)(i)(a) and (b), and shall consider any other reciprocal jurisdiction included on the national association of insurance commissioners list. The commissioner may approve a jurisdiction that does not appear on the national association of insurance commissioners list of reciprocal jurisdictions in accordance with criteria to be developed by the commissioner.

(ii) The commissioner may remove a jurisdiction from the list of reciprocal jurisdictions upon a determination that the jurisdiction no longer meets the requirements of a reciprocal jurisdiction, in accordance with a process set forth by the commissioner, except that the commissioner shall not remove from the list a reciprocal jurisdiction, as defined under subsections (a)(6)(A)(i)(a) and (b). Upon removal of a reciprocal jurisdiction from this list, credit for reinsurance ceded to an assuming insurer that has its home office or is domiciled in that jurisdiction shall be allowed, if otherwise allowed pursuant to this section.

(C) The commissioner shall timely create and publish a list of assuming insurers that have satisfied the conditions set forth in this subsection

and to which cessions shall be granted credit in accordance with this subsection. The commissioner may add an assuming insurer to such list if a national association of insurance commissioners accredited jurisdiction has added such assuming insurer to a list of such assuming insurers or if, upon initial eligibility, the assuming insurer submits the information to the commissioner as required under subsection (a)(6)(A)(iv) and complies with any additional requirements that the commissioner may impose, except to the extent that they conflict with an applicable covered agreement.

(D) If the commissioner determines that an assuming insurer no longer meets one or more of the requirements under this subsection, the commissioner may revoke or suspend the eligibility of the assuming insurer for recognition under this subsection.

(i) While an assuming insurer's eligibility is suspended, no reinsurance agreement issued, amended or renewed after the effective date of the suspension qualifies for credit except to the extent that the assuming insurer's obligations under the contract are secured in accordance with subsection (b).

(ii) If an assuming insurer's eligibility is revoked, no credit for reinsurance may be granted after the effective date of the revocation with respect to any reinsurance agreements entered into by the assuming insurer, including reinsurance agreements entered into prior to the date of revocation, except to the extent that the assuming insurer's obligations under the contract are secured in a form acceptable to the commissioner and consistent with the provisions of subsection (b).

(E) If subject to a legal process of rehabilitation, liquidation or conservation, as applicable, the ceding insurer, or its representative, may seek and, if determined appropriate by the court in which the proceedings are pending, may obtain an order requiring that the assuming insurer post security for all outstanding ceded liabilities.

(F) Nothing in this subsection shall limit or in any way alter the capacity of parties to a reinsurance agreement to agree on requirements for security or other terms in that reinsurance agreement, except as expressly prohibited by this section or other applicable law or regulation.

(G) Credit may be taken under this subsection only for reinsurance agreements entered into, amended or renewed on or after July 1, 2021, and only with respect to losses incurred and reserves reported on or after the later of the date on which the assuming insurer has met all eligibility requirements pursuant to subsection (a)(6)(A), or the effective date of the new reinsurance agreement, amendment or renewal.

(H) This paragraph does not alter or impair a ceding insurer's right to take credit for reinsurance, to the extent that credit is not available under this subsection, as long as the reinsurance qualifies for credit under any other applicable provision of this section.

(I) Nothing in this subsection shall:

(i) Authorize an assuming insurer to withdraw or reduce the security provided under any reinsurance agreement except as permitted by the terms of the agreement; or

(ii) limit, or in any way alter, the capacity of parties to any reinsurance agreement to renegotiate the agreement.

(7) Credit shall be allowed when the reinsurance is ceded to an assuming insurer that does not meet the requirements of subsections (a)(1) through (a)(6), but only as to the insurance of risks located in jurisdictions where the reinsurance is required by applicable law or regulation of that jurisdiction.

(8) If the assuming insurer is not licensed, accredited or certified to transact insurance or reinsurance in this state, the credit permitted by subsections (a)(3) and (a)(4) of this section shall not be allowed, unless the assuming insurer agrees in the reinsurance agreement to do all of the following:

(A) (i) In the event of the failure of the assuming insurer to perform its obligations under the terms of the reinsurance agreement, the assuming insurer, at the request of the ceding insurer, will: Submit to the jurisdiction of any court of competent jurisdiction in any state of the United States; comply with all requirements necessary to give the court jurisdiction; and abide by the final decision of the court or of any appellate court in the event of an appeal; and

(ii) the assuming insurer will designate the commissioner or a designated attorney as its true and lawful attorney to receive lawful process in any action, suit or proceeding instituted by or on behalf of the ceding insurer.

(B) This subsection is not intended to conflict with or override the obligation of the parties to a reinsurance agreement to arbitrate their disputes, if the obligation is created in the agreement.

(9) If the assuming insurer does not meet the requirements of subsection (a)(1), (a)(2), (a)(3) or (a)(6), the credit permitted by subsection (a)(4) or (a)(5) shall not be allowed unless the assuming insurer agrees in a trust agreement to the following conditions:

(A) Notwithstanding any other provisions in the trust instrument, if the trust fund is inadequate because the trust fund contains an amount less than the amount required by subsection (a)(4)(C), or if the grantor of the trust has been declared insolvent or has been placed into receivership, rehabilitation, liquidation or similar proceedings under the laws of the trust's state or country of domicile, the trustee shall comply with an order of the commissioner with regulatory oversight over the trust or with an order of a court of competent jurisdiction directing the trustee to transfer all of the assets of the trust fund to the commissioner with regulatory oversight over the trust.

(B) The assets shall be distributed and claims shall be filed with and valued by the commissioner with regulatory oversight in accordance with the laws of the state in which the trust is domiciled that are applicable to the liquidation of domestic insurance companies.

(C) If the commissioner with regulatory oversight over the trust determines that the assets of the trust fund or any part of the trust fund are not necessary to satisfy the claims of the United States ceding insurers of the grantor of the trust, the assets of the trust or part of those assets shall be returned by the commissioner with regulatory oversight over the trust to the trustee for distribution in accordance with the trust agreement.

(D) The grantor shall waive any right otherwise available to it under United States law that is inconsistent with the provisions of this subsection.

(10) Credit for reinsurance ceded to a certified reinsurer is limited to reinsurance contracts entered or renewed on or after the effective date of the certification of the assuming insurer by the commissioner.

(11) If an accredited or certified reinsurer ceases to meet the requirements of this section for accreditation or certification, the commissioner may suspend or revoke the reinsurer's accreditation or certification.

(A) The commissioner shall give the reinsurer notice and opportunity for a hearing prior to such suspension or revocation. The suspension or revocation shall not take effect until after the commissioner's order on hearing, unless one of the following applies:

- (i) The reinsurer waives its right to a hearing;
- (ii) the commissioner's order is based on regulatory action by the reinsurer's domiciliary jurisdiction or by the voluntary surrender or termination of the reinsurer's eligibility to transact insurance or reinsurance business in its domiciliary jurisdiction or in the primary certifying state of the reinsurer under subsection (a)(5)(F); or
- (iii) the commissioner finds that an emergency requires immediate action and a court of competent jurisdiction has not stayed the commissioner's action.

(B) While a reinsurer's accreditation or certification is suspended, a reinsurance contract issued or renewed after the effective date of the suspension does not qualify for credit, except to the extent that the reinsurer's obligations under the reinsurance contract are secured in accordance with subsection (b). If a reinsurer's accreditation or certification is revoked, credit for reinsurance shall not be granted after the effective date of the revocation, except to the extent that the reinsurer's obligations under the contract are secured in accordance with subsection (a)(5)(A) or (a)(5)(B).

(12) (A) A domestic ceding insurer shall take steps to manage its reinsurance recoverables proportionate to its own book of business. A domestic ceding insurer shall notify the commissioner within 30 days after

reinsurance recoverables from any single assuming insurer, or group of affiliated assuming insurers, exceeds 50% of the domestic ceding insurer's last reported surplus to policyholders, or after it is determined that reinsurance recoverables from any single assuming insurer, or group of affiliated assuming insurers, is likely to exceed this limit. The notification shall demonstrate that the exposure is safely managed by the domestic ceding insurer.

(B) A domestic ceding insurer shall take steps to diversify its reinsurance program. A domestic ceding insurer shall notify the commissioner within 30 days after ceding to any single assuming insurer, or group of affiliated assuming insurers, more than 20% of the ceding insurer's gross written premium in the prior calendar year, or after the domestic ceding insurer has determined that the reinsurance ceded to any single assuming insurer, or group of affiliated assuming insurers, is likely to exceed this limit. The notification shall demonstrate that the exposure is safely managed by the domestic ceding insurer.

(b) An asset or a reduction from liability for the reinsurance ceded by a domestic insurer to an assuming insurer not meeting the requirements of subsection (a) shall be allowed in an amount not exceeding the liabilities carried by the ceding insurer. The reduction shall be in the amount of funds held by or on behalf of the ceding insurer, including funds held in trust for the ceding insurer, under a reinsurance contract with the assuming insurer as security for the payment of obligations under the contract, if the security is held in the United States subject to withdrawal solely by, and under the exclusive control of, the ceding insurer; or, in the case of a trust, held in a qualified United States financial institution, as defined in subsection (c)(2). The security may be in the form of any of the following:

(1) Cash;

(2) a security listed by the securities valuation office of the national association of insurance commissioners, including those securities deemed exempt from filing, as defined by the purposes and procedures manual of the national association of insurance commissioners investment analysis office, and qualifying as admitted assets;

(3) (A) clean, irrevocable, unconditional letters of credit, issued or confirmed by a qualified United States financial institution, as defined in subsection (c)(1), effective no later than December 31 of the year for which the filing is being made, and in the possession of, or in trust for, the ceding insurer on or before the filing date of the ceding insurer's annual statement; or

(B) a letter of credit meeting applicable standards of issuer acceptability as of the date of the letter of credit's issuance, or confirmation, shall, notwithstanding the issuing or confirming, institution's subsequent failure to meet applicable standards of issuer acceptability, continue to be

acceptable as security until their expiration, extension, renewal, modification or amendment, whichever first occurs; or

(4) any other form of security acceptable to the commissioner.

(c) (1) For purposes of subsection (b)(3), a “qualified United States financial institution” means an institution that meets all of the following requirements:

(A) Is organized or, in the case of a United States office of a foreign banking organization, licensed under the laws of the United States or any state thereof;

(B) is regulated, supervised and examined by United States federal or state authorities having regulatory authority over banks and trust companies; and

(C) has been determined by either the commissioner or the securities valuation office of the national association of insurance commissioners to meet the standards of financial condition and standing as are considered necessary and appropriate to regulate the quality of financial institutions whose letters of credit will be acceptable to the commissioner.

(2) For purposes of those provisions of this law specifying those institutions that are eligible to act as a fiduciary of a trust, a “qualified United States financial institution” means an institution that meets all of the following requirements:

(i) Is organized, or in the case of a United States branch or agency office of a foreign banking organization, is licensed under the laws of the United States or any state of the United States and has been granted authority to operate with fiduciary powers; and

(ii) is regulated, supervised and examined by federal or state authorities having regulatory authority over banks and trust companies.

(d) The commissioner is hereby authorized to adopt any rules and regulations necessary to implement the provisions of this law.

Sec. 3. K.S.A. 40-221a and 40-2c01 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 11, 2022.

CHAPTER 47

HOUSE BILL No. 2607

AN ACT concerning civil actions; relating to civil commitment pursuant to the Kansas sexually violent predator act; requiring notice of release of a person who may be a sexually violent predator to the attorney general and multidisciplinary team; time; providing for detention during proceedings; relating to habeas corpus; clarifying time limitations for filing; amending K.S.A. 2021 Supp. 59-29a02, 59-29a03, 59-29a05 and 60-1507 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2021 Supp. 59-29a02 is hereby amended to read as follows: 59-29a02. As used in this act:

(a) “Sexually violent predator” means any person who has been convicted of or charged with a sexually violent offense and who suffers from a mental abnormality or personality disorder which makes the person likely to engage in repeat acts of sexual violence and who has serious difficulty in controlling such person’s dangerous behavior.

(b) “Mental abnormality” means a congenital or acquired condition affecting the emotional or volitional capacity which predisposes the person to commit sexually violent offenses in a degree constituting such person a menace to the health and safety of others.

(c) “Likely to engage in repeat acts of sexual violence” means the person’s propensity to commit acts of sexual violence is of such a degree as to pose a menace to the health and safety of others.

(d) “Sexually motivated” means that one of the purposes for which the defendant committed the crime was for the purpose of the defendant’s sexual gratification.

(e) “Sexually violent offense” means:

(1) Rape, as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A. 2021 Supp. 21-5503, and amendments thereto;

(2) indecent liberties with a child, as defined in K.S.A. 21-3503, prior to its repeal, or K.S.A. 2021 Supp. 21-5506(a), and amendments thereto;

(3) aggravated indecent liberties with a child, as defined in K.S.A. 21-3504, prior to its repeal, or K.S.A. 2021 Supp. 21-5506(b), and amendments thereto;

(4) criminal sodomy, as defined in K.S.A. 21-3505(a)(2) and (a)(3), prior to its repeal, or K.S.A. 2021 Supp. 21-5504(a)(3) and (a)(4), and amendments thereto;

(5) aggravated criminal sodomy, as defined in K.S.A. 21-3506, prior to its repeal, or K.S.A. 2021 Supp. 21-5504(b), and amendments thereto;

(6) indecent solicitation of a child, as defined in K.S.A. 21-3510, prior to its repeal, or K.S.A. 2021 Supp. 21-5508(a), and amendments thereto;

(7) aggravated indecent solicitation of a child, as defined in K.S.A.

21-3511, prior to its repeal, or K.S.A. 2021 Supp. 21-5508(b), and amendments thereto;

(8) sexual exploitation of a child, as defined in K.S.A. 21-3516, prior to its repeal, or K.S.A. 2021 Supp. 21-5510, and amendments thereto;

(9) aggravated sexual battery, as defined in K.S.A. 21-3518, prior to its repeal, or K.S.A. 2021 Supp. 21-5505(b), and amendments thereto;

(10) aggravated incest, as defined in K.S.A. 21-3603, prior to its repeal, or K.S.A. 2021 Supp. 21-5604(b), and amendments thereto;

(11) any conviction for a felony offense in effect at any time prior to the effective date of this act, that is comparable to a sexually violent offense as defined in paragraphs (1) through (11) or any federal or other state conviction for a felony offense that under the laws of this state would be a sexually violent offense as defined in this section;

(12) an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 and 21-3303, prior to their repeal, or K.S.A. 2021 Supp. 21-5301, 21-5302 or 21-5303, and amendments thereto, of a sexually violent offense as defined in this subsection; or

(13) any act which either at the time of sentencing for the offense or subsequently during civil commitment proceedings pursuant to this act, has been determined beyond a reasonable doubt to have been sexually motivated.

(f) “Agency with jurisdiction” means ~~that agency which~~ *an agency that* releases upon lawful order or authority, a person *confined or* serving a sentence ~~or term of confinement~~ and includes the department of corrections, the Kansas department for aging and disability services and the prisoner review board.

(g) “Person” means an individual who is a potential or actual subject of proceedings under this act.

(h) “Treatment staff” means the persons, agencies or firms employed by or contracted with the secretary to provide treatment, supervision or other services at the sexually violent predator facility.

(i) “Transitional release” means any halfway house, work release, sexually violent predator treatment facility or other placement designed to assist the person’s adjustment and reintegration into the community.

(j) “Secretary” means the secretary for aging and disability services.

(k) “Conditional release” means approved placement in the community for a minimum of five years while under the supervision of the person’s court of original commitment and monitored by the secretary for aging and disability services.

(l) “Conditional release monitor” means an individual appointed by the court to monitor the person’s compliance with the treatment plan while placed on conditional release and who reports to the court. Such monitor shall not be a court services officer.

(m) “Progress review panel” means individuals appointed by the secretary for aging and disability services to evaluate a person’s progress in the sexually violent predator treatment program.

Sec. 2. K.S.A. 2021 Supp. 59-29a03 is hereby amended to read as follows: 59-29a03. (a) *(1) Prior to July 1, 2023*, when it appears that a person may meet the criteria of a sexually violent predator as defined in K.S.A. 59-29a02, and amendments thereto, the agency with jurisdiction shall give written notice of such to the attorney general and the multidisciplinary team established in subsection (f). *Such notice shall be given 90 days prior to the anticipated release of a person and includes, but is not limited to:*

~~(1)(A)~~ The anticipated release from total confinement of a person who has been convicted of a sexually violent offense, except that in the case of ~~persons who are~~ *a person who is* returned to prison for no more than 90 days as a result of revocation of postrelease supervision, written notice shall be given as soon as practicable following the person’s readmission to prison;

~~(2)(B)~~ release of a person who has been charged with a sexually violent offense and who has been determined to be incompetent to stand trial pursuant to K.S.A. 22-3305, and amendments thereto;

~~(3)(C)~~ release of a person who has been found not guilty ~~by reason of insanity~~ of a sexually violent offense pursuant to K.S.A. 22-3428, and amendments thereto; or

~~(4)(D)~~ release of a person who has been found not guilty of a sexually violent offense pursuant to K.S.A. 22-3428, and amendments thereto, and the jury who returned the verdict of not guilty answers in the affirmative to the special question asked pursuant to K.S.A. 22-3221, and amendments thereto.

(2) On and after July 1, 2023, and prior to July 1, 2024, when it appears that a person may meet the criteria of a sexually violent predator as defined in K.S.A. 59-29a02, and amendments thereto, the agency with jurisdiction shall give written notice of such to the attorney general and the multidisciplinary team established in subsection (f). Such notice shall be given 90 days to two years prior to the anticipated release of a person and includes, but is not limited to:

(A) The anticipated release from total confinement of a person who has been convicted of a sexually violent offense, except that in the case of a person who is returned to prison for no more than 90 days as a result of revocation of postrelease supervision, written notice shall be given as soon as practicable following the person’s readmission to prison;

(B) release of a person who has been charged with a sexually violent offense and who has been determined to be incompetent to stand trial pursuant to K.S.A. 22-3305, and amendments thereto;

(C) release of a person who has been found not guilty of a sexually violent offense pursuant to K.S.A. 22-3428, and amendments thereto; or

(D) release of a person who has been found not guilty of a sexually violent offense pursuant to K.S.A. 22-3428, and amendments thereto, and the jury who returned the verdict of not guilty answers in the affirmative to the special question asked pursuant to K.S.A. 22-3221, and amendments thereto.

(3) On and after July 1, 2024, when it appears that a person may meet the criteria of a sexually violent predator as defined in K.S.A. 59-29a02, and amendments thereto, the agency with jurisdiction shall give written notice of such to the attorney general and the multidisciplinary team established in subsection (f). Such notice shall be given two years prior to the anticipated release of a person and includes, but is not limited to:

(A) The anticipated release from total confinement of a person who has been convicted of a sexually violent offense, except that in the case of a person who is returned to prison for no more than 90 days as a result of revocation of postrelease supervision, written notice shall be given as soon as practicable following the person's readmission to prison;

(B) release of a person who has been charged with a sexually violent offense and who has been determined to be incompetent to stand trial pursuant to K.S.A. 22-3305, and amendments thereto;

(C) release of a person who has been found not guilty of a sexually violent offense pursuant to K.S.A. 22-3428, and amendments thereto; or

(D) release of a person who has been found not guilty of a sexually violent offense pursuant to K.S.A. 22-3428, and amendments thereto, and the jury who returned the verdict of not guilty answers in the affirmative to the special question asked pursuant to K.S.A. 22-3221, and amendments thereto.

(b) The agency with jurisdiction shall inform the attorney general and the multidisciplinary team established in subsection (f) of the following:

(1) The person's name, identifying factors, anticipated future residence and offense history; and

(2) documentation of institutional adjustment and any treatment received.

(c) Any reports of evaluations prepared or provided pursuant to subsection (b) shall demonstrate that the person evaluated was informed of the following:

(1) The nature and purpose of the evaluation; and

(2) that the evaluation will not be confidential and that any statements made by the person and any conclusions drawn by the evaluator may be disclosed to a court, the detained person's attorney, the prosecutor and the trier of fact at any proceeding conducted under the Kansas sexually violent predator act.

(d) The permitted disclosures required to be submitted to the attorney general under this section shall be deemed to be in response to the attorney general's civil demand for relevant and material information to investigate whether a petition shall be filed. The information provided shall be specific to the purposes of the Kansas sexually violent predator act and as limited in scope as reasonably practicable.

(e) The agency with jurisdiction, its employees, officials, members of the multidisciplinary team established in subsection (f), members of the prosecutor's review committee appointed as provided in subsection (g) and individuals contracting, appointed or volunteering to perform services hereunder shall be immune from liability for any good-faith conduct under this section.

(f) The secretary of corrections shall establish a multidisciplinary team which may include individuals from other state agencies to review available records of each person referred to such team pursuant to subsection (a). The team shall include the mental health professional who prepared any evaluation, interviewed the person or made any recommendation to the attorney general. The team shall assess whether or not the person meets the definition of a sexually violent predator, as established in K.S.A. 59-29a02, and amendments thereto. The team shall notify the attorney general of its assessment.

(g) The attorney general shall appoint a prosecutor's review committee to review the records of each person referred to the attorney general pursuant to subsection (a). The prosecutor's review committee shall assist the attorney general in the determination of whether or not the person meets the definition of a sexually violent predator. The assessment of the multidisciplinary team shall be made available to the attorney general and the prosecutor's review committee.

(h) The provisions of this section are not jurisdictional and failure to comply with such provisions not affecting constitutional rights in no way prevents the attorney general from proceeding against a person otherwise subject to the provisions of the Kansas sexually violent predator act.

Sec. 3. K.S.A. 2021 Supp. 59-29a05 is hereby amended to read as follows: 59-29a05. (a) Upon filing of a petition under K.S.A. 59-29a04, and amendments thereto, the ~~judge~~ *court* shall determine whether probable cause exists to believe that the person named in the petition is a sexually violent predator. If such determination is made, the ~~judge~~ *court* shall:

(1) Direct that *the* person be taken into custody and detained in the county jail until such time as a determination is made that the person is a sexually violent predator subject to commitment under the Kansas sexually violent predator act, *unless the person is subject to secure confinement at a correctional facility operated by the secretary of corrections. When*

the person is no longer subject to secure confinement at a correctional facility operated by the secretary of corrections, the court shall direct that the sheriff of the county where the petition is filed, or the sheriff's lawful designee, transport the person to the county jail and detain the person in the county jail until such time as a determination is made that the person is a sexually violent predator subject to commitment under the Kansas sexually violent predator act; and

(2) file a protective order permitting disclosures of protected health information to the parties, their counsel, evaluators, experts and others necessary to the litigation during the course of the proceedings subject to the Kansas sexually violent predator act.

(b) ~~Within 72 hours after a person is taken into custody pursuant to subsection (a), or~~ As soon as reasonably practicable or agreed upon by the parties, ~~such person shall~~ *after the filing of a petition under K.S.A. 59-29a04, and amendments thereto, the court shall order that the person named in the petition* be provided with notice of, and an opportunity to appear in person at, a hearing to contest probable cause as to whether the ~~detained~~ person is a sexually violent predator. At this hearing the court shall:

(1) Verify the ~~detainer's~~ *person's* identity; and

(2) determine whether probable cause exists to believe that the person is a sexually violent predator. The state may rely upon the petition and supplement the petition with additional documentary evidence or live testimony.

(c) At the probable cause hearing as provided in subsection (b), the ~~detained~~ person shall have the following rights in addition to the rights previously specified:

(1) To be represented by counsel;

(2) to present evidence on such person's behalf;

(3) to cross-examine witnesses who testify against such person; and

(4) to view and copy all petitions and reports in the court file.

(d) If the probable cause determination is made, the court shall order that the person be transferred to an appropriate secure facility, including, but not limited to, a county jail, for an evaluation as to whether the person is a sexually violent predator. The evaluation ordered by the court shall be conducted by a person deemed to be professionally qualified to conduct such an examination.

(e) The person conducting the evaluation ordered by the court pursuant to this section shall notify the ~~detained~~ *person being evaluated* of the following:

(1) The nature and purpose of the evaluation; and

(2) that the evaluation will not be confidential and that any statements made by the ~~detained~~ person and any conclusions drawn by the evaluator,

will be disclosed to the court, the ~~detained~~ person's attorney, the prosecutor and the trier of fact at any proceeding conducted under the Kansas sexually violent predator act.

(f) *When a proceeding under the Kansas sexually violent predator act is required to be conducted by the court and the person involved in the proceeding remains subject to secure confinement at a correctional facility operated by the secretary of corrections, the court may secure the person's attendance at the proceeding by directing the sheriff of the county where the proceeding will be held, or the sheriff's lawful designee, to take the person into the sheriff's physical custody. The sheriff may detain such person in the county jail for such time deemed reasonable by the sheriff and the secretary of corrections to secure the person's attendance at the proceeding.*

(g) *Nothing in this section shall be construed to give a person:*

(1) *The right to appear at a proceeding under the Kansas sexually violent predator act absent a court order; or*

(2) *any right whatsoever in the amount of time the person is detained in the county jail to secure the person's attendance at a proceeding under the Kansas sexually violent predator act.*

Sec. 4. K.S.A. 2021 Supp. 60-1507 is hereby amended to read as follows: 60-1507. (a) *Motion attacking sentence.* A prisoner in custody under sentence of a court of general jurisdiction claiming the right to be released upon the ground that the sentence was imposed in violation of the constitution or laws of the United States, or the constitution or laws of the state of Kansas, or that the court was without jurisdiction to impose such sentence, or that the sentence was in excess of the maximum authorized by law, or is otherwise subject to collateral attack, may, pursuant to the time limitations imposed by subsection (f), move the court which imposed the sentence to vacate, set aside or correct the sentence.

(b) *Hearing and judgment.* Unless the motion and the files and records of the case conclusively show that the prisoner is entitled to no relief, the court shall cause notice thereof to be served upon the county attorney, grant a prompt hearing thereon, determine the issues and make findings of fact and conclusions of law with respect thereto. The court may entertain and determine such motion without requiring the production of the prisoner at the hearing. If the court finds that the judgment was rendered without jurisdiction, or that the sentence imposed was not authorized by law or is otherwise open to collateral attack, or that there has been such a denial or infringement of the constitutional rights of the prisoner as to render the judgment vulnerable to collateral attack, the court shall vacate and set the judgment aside and shall discharge the prisoner or resentence said prisoner or grant a new trial or correct the sentence as may appear appropriate.

(c) *Successive motions.* The sentencing court shall not be required to entertain a second or successive motion for similar relief on behalf of the same prisoner.

(d) *Appeal.* An appeal may be taken to the appellate court as provided by law from the order entered on the motion as from a final judgment on application for a writ of habeas corpus.

(e) *Exclusiveness of remedy.* An application for a writ of habeas corpus in behalf of a prisoner who is authorized to apply for relief by motion pursuant to this section, shall not be entertained if it appears that the applicant has failed to apply for relief, by motion, to the court which sentenced said applicant, or that such court has denied said applicant relief, unless it also appears that the remedy by motion is inadequate or ineffective to test the legality of said applicant's detention.

(f) *Time limitations.* (1) Any action under this section must be brought within one year of:

(A) The final order of the last appellate court in this state to exercise jurisdiction on a direct appeal or the termination of such appellate jurisdiction; ~~or~~

(B) the denial of a petition for writ of certiorari to the United States supreme court or issuance of such court's final order following granting such petition; *or*

(C) *the decision of the district court denying a prior motion under this section, the opinion of the last appellate court in this state to exercise jurisdiction on such prior motion or the denial of the petition for review on such prior motion, whichever is later.*

(2) The time limitation herein may be extended by the court only to prevent a manifest injustice.

(A) For purposes of finding manifest injustice under this section, the court's inquiry shall be limited to determining why the prisoner failed to file the motion within the one-year time limitation or whether the prisoner makes a colorable claim of actual innocence. As used herein, the term actual innocence requires the prisoner to show it is more likely than not that no reasonable juror would have convicted the prisoner in light of new evidence.

(B) If the court makes a manifest-injustice finding, it must state the factual and legal basis for such finding in writing with service to the parties.

(3) If the court, upon its own inspection of the motions, files and records of the case, determines the time limitations under this section have been exceeded and that the dismissal of the motion would not equate with manifest injustice, the district court must dismiss the motion as untimely filed.

(g) *The amendments made to subsection (f) by this act shall not bar actions under this section that are brought within one year of the effective date of this act.*

Sec. 5. K.S.A. 2021 Supp. 59-29a02, 59-29a03, 59-29a05 and 60-1507 are hereby repealed.

Sec. 6. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 11, 2022.

CHAPTER 48

SENATE BILL No. 434

AN ACT concerning public records; relating to records that contain captured license plate data or that pertain to the location of an automated license plate recognition system; disclosure thereof under the open records act; amending K.S.A. 45-217, 45-220 and 45-221 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 45-217 is hereby amended to read as follows: 45-217. As used in the open records act, unless the context otherwise requires:

(a) *“Automated license plate recognition system” means one or more high-speed cameras combined with computer algorithms used to convert images of license plates into computer readable data.*

(b) *“Business day” means any day other than a Saturday, Sunday or day designated as a holiday by the congress of the United States, by the legislature or governor of this state or by the respective political subdivision of this state.*

(c) *“Captured license plate data” means the global positioning device coordinates, date and time, photograph, license plate number and any other data captured by or derived from an automated license plate recognition system.*

~~(b)~~(d) *“Clearly unwarranted invasion of personal privacy” means revealing information that would be highly offensive to a reasonable person, including information that may pose a risk to a person or property and is not of legitimate concern to the public.*

~~(e)~~(e) *“Criminal investigation records” means:*

(1) Every audio or video recording made and retained by law enforcement using a body camera or vehicle camera as defined by K.S.A. 45-254, and amendments thereto; and

(2) records of an investigatory agency or criminal justice agency as defined by K.S.A. 22-4701, and amendments thereto, compiled in the process of preventing, detecting or investigating violations of criminal law, but does not include police blotter entries, court records, rosters of inmates of jails or other correctional or detention facilities or records pertaining to violations of any traffic law other than vehicular homicide as defined by K.S.A. 21-3405, prior to its repeal, or K.S.A. 2021 Supp. 21-5406, and amendments thereto.

~~(d)~~(f) *“Custodian” means the official custodian or any person designated by the official custodian to carry out the duties of custodian of this act.*

~~(e)~~(g) *“Cybersecurity assessment” means an investigation undertaken by a person, governmental body or other entity to identify vulnerabilities in cybersecurity plans.*

~~(f)~~(h) “Cybersecurity plan” means information about a person’s information systems, network security, encryption, network mapping, access control, passwords, authentication practices, computer hardware or software or response to cybersecurity incidents.

~~(g)~~(i) “Cybersecurity vulnerability” means a deficiency within computer hardware or software, or within a computer network or information system, that could be exploited by unauthorized parties for use against an individual computer user or a computer network or information system.

~~(h)~~(j) “Official custodian” means any officer or employee of a public agency who is responsible for the maintenance of public records, regardless of whether such records are in the officer’s or employee’s actual personal custody and control.

~~(i)~~(k) (1) “Public agency” means the state or any political or taxing subdivision of the state or any office, agency or instrumentality thereof, or any other entity receiving or expending and supported in whole or in part by the public funds appropriated by the state or by public funds of any political or taxing subdivision of the state.

(2) “Public agency” does not include:

(A) Any entity solely by reason of payment from public funds for property, goods or services of such entity; or

(B) any municipal judge, judge of the district court, judge of the court of appeals or justice of the supreme court.

~~(j)~~(l) (1) “Public record” means any recorded information, regardless of form, characteristics or location, ~~which~~ *that* is made, maintained or kept by or is in the possession of:

(A) Any public agency; or

(B) any officer or employee of a public agency pursuant to the officer’s or employee’s official duties and ~~which~~ *that* is related to the functions, activities, programs or operations of any public agency.

(2) “Public record” includes, but is not limited to, an agreement in settlement of litigation involving the Kansas public employees retirement system and the investment of moneys of the fund.

(3) Notwithstanding the provisions of ~~subsection (j)(1)~~ *paragraph (1)*, “public record” does not include:

(A) Records that are owned by a private person or entity and are not related to functions, activities, programs or operations funded by public funds. As used in this subparagraph, “private person” does not include an officer or employee of a public agency who is acting pursuant to the officer’s or employee’s official duties;

(B) records that are made, maintained or kept by an individual who is a member of the legislature or of the governing body of any political or taxing subdivision of the state; or

(C) records of employers related to the employer's individually identifiable contributions made on behalf of employees for workers compensation, social security, unemployment insurance or retirement. The provisions of this subparagraph shall not apply to records of employers of lump-sum payments for contributions as described in this subparagraph paid for any group, division or section of an agency.

~~(k)~~(m) "Undercover agent" means an employee of a public agency responsible for criminal law enforcement who is engaged in the detection or investigation of violations of criminal law in a capacity where such employee's identity or employment by the public agency is secret.

Sec. 2. K.S.A. 45-220 is hereby amended to read as follows: 45-220.

(a) Each public agency shall adopt procedures to be followed in requesting access to and obtaining copies of public records, which procedures shall provide full access to public records, protect public records from damage and disorganization, prevent excessive disruption of the agency's essential functions, provide assistance and information upon request and ~~insure~~ ensure efficient and timely action in response to applications for inspection of public records.

(b) A public agency may require a written request for inspection of public records but shall not otherwise require a request to be made in any particular form. Except as otherwise provided by subsection (c), a public agency shall not require that a request contain more information than the requester's name and address and the information necessary to ascertain the records to which the requester desires access and the requester's right of access to the records. A public agency may require proof of identity of any person requesting access to a public record. No request shall be returned, delayed or denied because of any technicality unless it is impossible to determine the records to which the requester desires access.

(c) If access to public records of an agency or the purpose for which the records may be used is limited pursuant to K.S.A. 45-221 or ~~K.S.A.~~ 45-230, and amendments thereto, the agency may require a person requesting the records or information therein to provide written certification that:

(1) The requester has a right of access to the records and the basis of that right; or

(2) the requester does not intend to, and will not:

(A) Use any list of names or addresses contained in or derived from the records or information for the purpose of selling or offering for sale any property or service to any person listed or to any person who resides at any address listed; or

(B) sell, give or otherwise make available to any person any list of names or addresses contained in or derived from the records or information for the purpose of allowing that person to sell or offer for sale any

property or service to any person listed or to any person who resides at any address listed.

(d) A public agency shall establish, for business days when it does not maintain regular office hours, reasonable hours when persons may inspect and obtain copies of the agency's records. The public agency may require that any person desiring to inspect or obtain copies of the agency's records during such hours so notify the agency, but such notice shall not be required to be in writing and shall not be required to be given more than 24 hours prior to the hours established for inspection and obtaining copies.

(e) Each official custodian of public records shall designate such persons as necessary to carry out the duties of custodian under this act and shall ensure that a custodian is available during regular business hours of the public agency to carry out such duties.

(f) Each public agency shall provide, upon request of any person, the following information:

(1) The principal office of the agency, its regular office hours and any additional hours established by the agency pursuant to subsection (c).

(2) The title and address of the official custodian of the agency's records and of any other custodian who is ordinarily available to act on requests made at the location where the information is displayed.

(3) The fees, if any, charged for access to or copies of the agency's records.

(4) The procedures to be followed in requesting access to and obtaining copies of the agency's records, including procedures for giving notice of a desire to inspect or obtain copies of records during hours established by the agency pursuant to subsection (c).

(g) (1) Except for requests of summary data compiled from information submitted by multiple criminal justice agencies or as otherwise provided by law, requests for records submitted to the central repository or any other repositories supporting the criminal justice information system that are maintained by the Kansas bureau of investigation pursuant to K.S.A. 22-4704 and 22-4705, and amendments thereto, shall be directed to the criminal justice agency from which the records originated.

(2) As used in this subsection, the terms "central repository," "criminal justice agency" and "criminal justice information system" have the same meanings as defined in K.S.A. 22-4701, and amendments thereto.

(h) Except for requests of summary data compiled from information submitted by multiple law enforcement agencies or as otherwise provided by law, requests for records submitted to the Kansas asset seizure and forfeiture repository that are maintained by the Kansas bureau of investigation pursuant to K.S.A. 2021 Supp. 60-4127, and amendments thereto, shall be directed to the law enforcement agency from which the records originated.

(i) Requests for records defined as “files” pursuant to K.S.A. 75-4379, and amendments thereto, submitted to a state or local law enforcement agency or governmental agency shall be directed to the state or local law enforcement agency or governmental agency that made, maintained or kept such files, as required by K.S.A. 75-4379, and amendments thereto.

(j) *Requests for records that contain captured license plate data or that pertain to the location of an automated license plate recognition system submitted to a state or local law enforcement agency or governmental agency shall be directed to the state or local law enforcement agency or governmental agency that owns, leases or contracts for the automated license plate recognition system.*

Sec. 3. K.S.A. 45-221 is hereby amended to read as follows: 45-221.

(a) Except to the extent disclosure is otherwise required by law, a public agency shall not be required to disclose:

(1) Records the disclosure of which is specifically prohibited or restricted by federal law, state statute or rule of the Kansas supreme court or rule of the senate committee on confirmation oversight relating to information submitted to the committee pursuant to K.S.A. 75-4315d, and amendments thereto, or the disclosure of which is prohibited or restricted pursuant to specific authorization of federal law, state statute or rule of the Kansas supreme court or rule of the senate committee on confirmation oversight relating to information submitted to the committee pursuant to K.S.A. 75-4315d, and amendments thereto, to restrict or prohibit disclosure.

(2) Records that are privileged under the rules of evidence, unless the holder of the privilege consents to the disclosure.

(3) Medical, psychiatric, psychological or alcoholism or drug dependency treatment records that pertain to identifiable patients.

(4) Personnel records, performance ratings or individually identifiable records pertaining to employees or applicants for employment, except that this exemption shall not apply to the names, positions, salaries or actual compensation employment contracts or employment-related contracts or agreements and lengths of service of officers and employees of public agencies once they are employed as such.

(5) Information that would reveal the identity of any undercover agent or any informant reporting a specific violation of law.

(6) Letters of reference or recommendation pertaining to the character or qualifications of an identifiable individual, except documents relating to the appointment of persons to fill a vacancy in an elected office.

(7) Library, archive and museum materials contributed by private persons, to the extent of any limitations imposed as conditions of the contribution.

(8) Information that would reveal the identity of an individual who lawfully makes a donation to a public agency, if anonymity of the donor

is a condition of the donation, except if the donation is intended for or restricted to providing remuneration or personal tangible benefit to a named public officer or employee.

(9) Testing and examination materials, before the test or examination is given or if it is to be given again, or records of individual test or examination scores, other than records that show only passage or failure and not specific scores.

(10) Criminal investigation records, except as provided herein. The district court, in an action brought pursuant to K.S.A. 45-222, and amendments thereto, may order disclosure of such records, subject to such conditions as the court may impose, if the court finds that disclosure:

- (A) Is in the public interest;
- (B) would not interfere with any prospective law enforcement action, criminal investigation or prosecution;
- (C) would not reveal the identity of any confidential source or undercover agent;
- (D) would not reveal confidential investigative techniques or procedures not known to the general public;
- (E) would not endanger the life or physical safety of any person; and
- (F) would not reveal the name, address, phone number or any other information that specifically and individually identifies the victim of any sexual offense described in article 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto.

If a public record is discretionarily closed by a public agency pursuant to this subsection, the record custodian, upon request, shall provide a written citation to the specific provisions of subparagraphs (A) through (F) that necessitate closure of that public record.

(11) Records of agencies involved in administrative adjudication or civil litigation, compiled in the process of detecting or investigating violations of civil law or administrative rules and regulations, if disclosure would interfere with a prospective administrative adjudication or civil litigation or reveal the identity of a confidential source or undercover agent.

(12) Records of emergency or security information or procedures of a public agency, if disclosure would jeopardize public safety, including records of cybersecurity plans, cybersecurity assessments and cybersecurity vulnerabilities or procedures related to cybersecurity plans, cybersecurity assessments and cybersecurity vulnerabilities, or plans, drawings, specifications or related information for any building or facility that is used for purposes requiring security measures in or around the building or facility or that is used for the generation or transmission of power, water, fuels or communications, if disclosure would jeopardize security of the public agency, building or facility.

(13) The contents of appraisals or engineering or feasibility estimates or evaluations made by or for a public agency relative to the acquisition of property, prior to the award of formal contracts therefor.

(14) Correspondence between a public agency and a private individual, other than correspondence that is intended to give notice of an action, policy or determination relating to any regulatory, supervisory or enforcement responsibility of the public agency or that is widely distributed to the public by a public agency and is not specifically in response to communications from such a private individual.

(15) Records pertaining to employer-employee negotiations, if disclosure would reveal information discussed in a lawful executive session under K.S.A. 75-4319, and amendments thereto.

(16) Software programs for electronic data processing and documentation thereof, but each public agency shall maintain a register, open to the public, that describes:

(A) The information that the agency maintains on computer facilities; and

(B) the form in which the information can be made available using existing computer programs.

(17) Applications, financial statements and other information submitted in connection with applications for student financial assistance where financial need is a consideration for the award.

(18) Plans, designs, drawings or specifications that are prepared by a person other than an employee of a public agency or records that are the property of a private person.

(19) Well samples, logs or surveys that the state corporation commission requires to be filed by persons who have drilled or caused to be drilled, or are drilling or causing to be drilled, holes for the purpose of discovery or production of oil or gas, to the extent that disclosure is limited by rules and regulations of the state corporation commission.

(20) Notes, preliminary drafts, research data in the process of analysis, unfunded grant proposals, memoranda, recommendations or other records in which opinions are expressed or policies or actions are proposed, except that this exemption shall not apply when such records are publicly cited or identified in an open meeting or in an agenda of an open meeting.

(21) Records of a public agency having legislative powers that pertain to proposed legislation or amendments to proposed legislation, except that this exemption shall not apply when such records are:

(A) Publicly cited or identified in an open meeting or in an agenda of an open meeting; or

(B) distributed to a majority of a quorum of any body that has authority to take action or make recommendations to the public agency with regard to the matters to which such records pertain.

(22) Records of a public agency having legislative powers that pertain to research prepared for one or more members of such agency, except that this exemption shall not apply when such records are:

(A) Publicly cited or identified in an open meeting or in an agenda of an open meeting; or

(B) distributed to a majority of a quorum of any body that has authority to take action or make recommendations to the public agency with regard to the matters to which such records pertain.

(23) Library patron and circulation records that pertain to identifiable individuals.

(24) Records that are compiled for census or research purposes and which pertain to identifiable individuals.

(25) Records that represent and constitute the work product of an attorney.

(26) Records of a utility or other public service pertaining to individually identifiable residential customers of the utility or service.

(27) Specifications for competitive bidding, until the specifications are officially approved by the public agency.

(28) Sealed bids and related documents, until a bid is accepted or all bids rejected.

(29) Correctional records pertaining to an identifiable inmate or release, except that:

(A) The name; photograph and other identifying information; sentence data; parole eligibility date; custody or supervision level; disciplinary record; supervision violations; conditions of supervision, excluding requirements pertaining to mental health or substance abuse counseling; location of facility where incarcerated or location of parole office maintaining supervision and address of a releasee whose crime was committed after the effective date of this act shall be subject to disclosure to any person other than another inmate or releasee, except that the disclosure of the location of an inmate transferred to another state pursuant to the interstate corrections compact shall be at the discretion of the secretary of corrections;

(B) the attorney general, law enforcement agencies, counsel for the inmate to whom the record pertains and any county or district attorney shall have access to correctional records to the extent otherwise permitted by law;

(C) the information provided to the law enforcement agency pursuant to the sex offender registration act, K.S.A. 22-4901 et seq., and amendments thereto, shall be subject to disclosure to any person, except that the name, address, telephone number or any other information that specifically and individually identifies the victim of any offender required to register as provided by the Kansas offender registration act, K.S.A. 22-4901 et seq., and amendments thereto, shall not be disclosed; and

(D) records of the department of corrections regarding the financial assets of an offender in the custody of the secretary of corrections shall be subject to disclosure to the victim, or such victim's family, of the crime for which the inmate is in custody as set forth in an order of restitution by the sentencing court.

(30) Public records containing information of a personal nature where the public disclosure thereof would constitute a clearly unwarranted invasion of personal privacy.

(31) Public records pertaining to prospective location of a business or industry where no previous public disclosure has been made of the business' or industry's interest in locating in, relocating within or expanding within the state. This exception shall not include those records pertaining to application of agencies for permits or licenses necessary to do business or to expand business operations within this state, except as otherwise provided by law.

(32) Engineering and architectural estimates made by or for any public agency relative to public improvements.

(33) Financial information submitted by contractors in qualification statements to any public agency.

(34) Records involved in the obtaining and processing of intellectual property rights that are expected to be, wholly or partially vested in or owned by a state educational institution, as defined in K.S.A. 76-711, and amendments thereto, or an assignee of the institution organized and existing for the benefit of the institution.

(35) Any report or record that is made pursuant to K.S.A. 65-4922, 65-4923 or 65-4924, and amendments thereto, and that is privileged pursuant to K.S.A. 65-4915 or 65-4925, and amendments thereto.

(36) Information that would reveal the precise location of an archeological site.

(37) Any financial data or traffic information from a railroad company, to a public agency, concerning the sale, lease or rehabilitation of the railroad's property in Kansas.

(38) Risk-based capital reports, risk-based capital plans and corrective orders including the working papers and the results of any analysis filed with the commissioner of insurance in accordance with K.S.A. 40-2c20 and 40-2d20, and amendments thereto.

(39) Memoranda and related materials required to be used to support the annual actuarial opinions submitted pursuant to K.S.A. 40-409(b), and amendments thereto.

(40) Disclosure reports filed with the commissioner of insurance under K.S.A. 40-2,156(a), and amendments thereto.

(41) All financial analysis ratios and examination synopses concerning insurance companies that are submitted to the commissioner by the

national association of insurance commissioners' insurance regulatory information system.

(42) Any records the disclosure of which is restricted or prohibited by a tribal-state gaming compact.

(43) Market research, market plans, business plans and the terms and conditions of managed care or other third-party contracts, developed or entered into by the university of Kansas medical center in the operation and management of the university hospital that the chancellor of the university of Kansas or the chancellor's designee determines would give an unfair advantage to competitors of the university of Kansas medical center.

(44) The amount of franchise tax paid to the secretary of revenue or the secretary of state by domestic corporations, foreign corporations, domestic limited liability companies, foreign limited liability companies, domestic limited partnership, foreign limited partnership, domestic limited liability partnerships and foreign limited liability partnerships.

(45) Records, other than criminal investigation records, the disclosure of which would pose a substantial likelihood of revealing security measures that protect:

(A) Systems, facilities or equipment used in the production, transmission or distribution of energy, water or communications services;

(B) transportation and sewer or wastewater treatment systems, facilities or equipment; or

(C) private property or persons, if the records are submitted to the agency. For purposes of this paragraph, security means measures that protect against criminal acts intended to intimidate or coerce the civilian population, influence government policy by intimidation or coercion or to affect the operation of government by disruption of public services, mass destruction, assassination or kidnapping. Security measures include, but are not limited to, intelligence information, tactical plans, resource deployment and vulnerability assessments.

(46) Any information or material received by the register of deeds of a county from military discharge papers, DD Form 214. Such papers shall be disclosed: To the military dischargee; to such dischargee's immediate family members and lineal descendants; to such dischargee's heirs, agents or assigns; to the licensed funeral director who has custody of the body of the deceased dischargee; when required by a department or agency of the federal or state government or a political subdivision thereof; when the form is required to perfect the claim of military service or honorable discharge or a claim of a dependent of the dischargee; and upon the written approval of the commissioner of veterans affairs, to a person conducting research.

(47) Information that would reveal the location of a shelter or a safe-house or similar place where persons are provided protection from abuse

or the name, address, location or other contact information of alleged victims of stalking, domestic violence or sexual assault.

(48) Policy information provided by an insurance carrier in accordance with K.S.A. 44-532(h)(1), and amendments thereto. This exemption shall not be construed to preclude access to an individual employer's record for the purpose of verification of insurance coverage or to the department of labor for their business purposes.

(49) An individual's e-mail address, cell phone number and other contact information that has been given to the public agency for the purpose of public agency notifications or communications that are widely distributed to the public.

(50) Information provided by providers to the local collection point administrator or to the 911 coordinating council pursuant to the Kansas 911 act upon request of the party submitting such records.

(51) Records of a public agency on a public website that are searchable by a keyword search and identify the home address or home ownership of: A law enforcement officer as defined in K.S.A. 2021 Supp. 21-5111, and amendments thereto; a parole officer; a probation officer; a court services officer; a community correctional services officer; a local correctional officer or local detention officer; a federal judge; a justice of the supreme court; a judge of the court of appeals; a district judge; a district magistrate judge; a municipal judge; a presiding officer who conducts hearings pursuant to the Kansas administrative procedure act; an administrative law judge employed by the office of administrative hearings; a member of the state board of tax appeals; an administrative law judge who conducts hearings pursuant to the workers compensation act; a member of the workers' compensation appeals board; the United States attorney for the district of Kansas; an assistant United States attorney; a special assistant United States attorney; the attorney general; an assistant attorney general; a special assistant attorney general; a county attorney; an assistant county attorney; a special assistant county attorney; a district attorney; an assistant district attorney; a special assistant district attorney; a city attorney; an assistant city attorney; or a special assistant city attorney. Such person shall file with the custodian of such record a request to have such person's identifying information restricted from public access on such public website. Within 10 business days of receipt of such requests, the public agency shall restrict such person's identifying information from such public access. Such restriction shall expire after five years and such person may file with the custodian of such record a new request for restriction at any time.

(52) Records of a public agency that would disclose the name, home address, zip code, e-mail address, phone number or cell phone number or other contact information for any person licensed to carry concealed hand-

guns or of any person who enrolled in or completed any weapons training in order to be licensed or has made application for such license under the personal and family protection act, K.S.A. 75-7c01 et seq., and amendments thereto, shall not be disclosed unless otherwise required by law.

(53) Records of a utility concerning information about cyber security threats, attacks or general attempts to attack utility operations provided to law enforcement agencies, the state corporation commission, the federal energy regulatory commission, the department of energy, the southwest power pool, the North American electric reliability corporation, the federal communications commission or any other federal, state or regional organization that has a responsibility for the safeguarding of telecommunications, electric, potable water, waste water disposal or treatment, motor fuel or natural gas energy supply systems.

(54) Records of a public agency containing information or reports obtained and prepared by the office of the state bank commissioner in the course of licensing or examining a person engaged in money transmission business pursuant to K.S.A. 9-508 et seq., and amendments thereto, shall not be disclosed except pursuant to K.S.A. 9-513c, and amendments thereto, or unless otherwise required by law.

(55) *Records of a public agency that contain captured license plate data or that pertain to the location of an automated license plate recognition system.*

(b) Except to the extent disclosure is otherwise required by law or as appropriate during the course of an administrative proceeding or on appeal from agency action, a public agency or officer shall not disclose financial information of a taxpayer that may be required or requested by a county appraiser or the director of property valuation to assist in the determination of the value of the taxpayer's property for ad valorem taxation purposes; or any financial information of a personal nature required or requested by a public agency or officer, including a name, job description or title revealing the salary or other compensation of officers, employees or applicants for employment with a firm, corporation or agency, except a public agency. Nothing contained herein shall be construed to prohibit the publication of statistics, so classified as to prevent identification of particular reports or returns and the items thereof.

(c) As used in this section, the term "cited or identified" does not include a request to an employee of a public agency that a document be prepared.

(d) If a public record contains material that is not subject to disclosure pursuant to this act, the public agency shall separate or delete such material and make available to the requester that material in the public record that is subject to disclosure pursuant to this act. If a public record is not subject to disclosure because it pertains to an identifiable individual, the

public agency shall delete the identifying portions of the record and make available to the requester any remaining portions that are subject to disclosure pursuant to this act, unless the request is for a record pertaining to a specific individual or to such a limited group of individuals that the individuals' identities are reasonably ascertainable, the public agency shall not be required to disclose those portions of the record that pertain to such individual or individuals.

(e) The provisions of this section shall not be construed to exempt from public disclosure statistical information not descriptive of any identifiable person.

(f) Notwithstanding the provisions of subsection (a), any public record that has been in existence more than 70 years shall be open for inspection by any person unless disclosure of the record is specifically prohibited or restricted by federal law, state statute or rule of the Kansas supreme court or by a policy adopted pursuant to K.S.A. 72-6214, and amendments thereto.

(g) Any confidential records or information relating to security measures provided or received under the provisions of subsection (a)(45) shall not be subject to subpoena, discovery or other demand in any administrative, criminal or civil action.

Sec. 4. K.S.A. 45-217, 45-220 and 45-221 are hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 11, 2022.

CHAPTER 49

HOUSE BILL No. 2386*

AN ACT concerning insurance; relating to dental benefits; dental benefit plans and related coverage; establishing requirements and restrictions for the payment and reimbursement of dental services thereby.

Be it enacted by the Legislature of the State of Kansas:

Section 1. As used in sections 1 through 3, and amendments thereto:

(a) “Contracting entity” means any person or entity that enters into a direct contract with a provider for the delivery of dental services in the ordinary course of business, including a third-party administrator and a dental carrier.

(b) “Covered person” means an individual who is covered under a dental benefits or health insurance plan that provides coverage for dental services.

(c) “Credit card payment” means a type of electronic funds transfer in which a dental benefit plan or such plan’s contracted vendor issues a single-use series of numbers associated with the payment of dental services performed by a dentist and chargeable to a predetermined dollar amount and in which the dentist is responsible for processing the payment by a credit card terminal or internet portal. “Credit card payment” includes a virtual or online credit card payment where no physical credit card is presented to the dentist, and the single-use credit card expires upon payment processing.

(d) “Dental benefit plan” means a benefits plan that pays or provides dental expense benefits for covered dental services and is delivered or issued for delivery by or through a dental carrier on a stand-alone basis. “Dental benefit plan” includes coverage for dental benefits integrated or otherwise incorporated into the terms and coverage of a health benefits plan.

(e) “Dental carrier” means a dental insurance company, dental service corporation, dental plan organization authorized to provide dental benefits or a health benefits plan that includes coverage for dental services.

(f) “Dental services” means services for the diagnosis, prevention, treatment or cure of a dental condition, illness, injury or disease. “Dental services” does not include services delivered by a provider that are billed as medical expenses under a health benefits plan.

(g) “Dental service contractor” means any person who accepts a prepayment from or for the benefit of any other person or group of persons as consideration for providing to such person or group of persons the opportunity to receive dental services at times in the future as such services may be appropriate or required. “Dental service con-

tractor” does not include a dentist or professional dental corporation that accepts prepayment on a fee-for-service basis for providing specific dental services to individual patients for whom such services have been prediagnosed.

(h) “Dentist” means any dentist licensed or otherwise authorized in this state to provide dental services.

(i) “Dentist agent” means a person or entity that contracts with a dentist establishing an agency relationship to process bills for services provided by the dentist under the terms and conditions of a contract between the agent and dentist, including contractual relationships that permit the agent to submit bills, request reconsideration and receive reimbursement.

(j) “Electronic funds transfer payment” means a payment by any method of electronic funds transfer other than through the automated clearing house network, as codified in 45 C.F.R. §§ 162.1601 and 162.1602.

(k) “Health insurance plan” means any: Hospital or medical insurance policy or certificate; qualified high-deductible health plan; health maintenance organization subscriber contract; contract providing benefits for dental care, whether such contract is pursuant to a medical insurance policy or certificate; stand-alone dental plan; health maintenance provider contract; or managed health care plan.

(l) “Health insurer” means any entity or person that issues a health insurance plan.

(m) “Provider” means an individual or entity that, acting within the scope of licensure or certification, provides dental services or supplies defined by the dental benefit plan. “Provider” does not include a physician organization or physician hospital organization that leases or rents the physician organization’s or physician hospital organization’s network to a third party.

(n) “Provider network contract” means a contract between a contracting entity and a provider that specifies the rights and responsibilities of the contracting entity and provides for the delivery and payment of dental services to an enrollee.

(o) “Third party” means a person or entity that enters into a contract with a contracting entity or with another third party to gain access to the dental services or contractual discounts of a provider network contract. “Third party” does not include any employer or other group for whom the dental carrier or contracting entity provides administrative services.

Sec. 2. (a) A contracting entity may grant a third party access to a provider network contract, or a provider’s dental services or contractual discounts provided pursuant to a provider network contract, subject to the requirements of subsections (b) and (c).

(b) At the time the contract is entered into, sold, leased or renewed or a when there are material modifications to a contract relevant to granting access to a provider network contract to a third party, the dental carrier shall allow any provider that is part of the carrier's provider network to choose to not participate in third party access to the contract or to enter into a contract directly with the health insurer that acquired the provider network. Opting out of lease arrangements shall not require dentists to cancel or otherwise end a contractual relationship with the original carrier that leases a provider network.

(c) A contracting entity may grant a third party access to a provider network contract, or a provider's dental services or contractual discounts provided pursuant to a provider network contract, if:

(1) The contract specifically states that the contracting entity may enter into an agreement with third parties, allowing such third parties to obtain the contracting entity's rights and responsibilities as if the third party were the contracting entity, or if the contracting entity is a dental carrier, the provider chose to participate in third-party access at the time the provider network contract was entered into or renewed. The third-party access provision of any provider contract shall be clearly identified in the provider contract, including notice that the contract grants third-party access to the provider network and that the dentist has the right to choose not to participate in third-party access;

(2) the third party accessing the contract agrees to comply with all of the contract's terms, including such third party's obligation concerning patient steerage;

(3) the contracting entity identifies to the provider, in writing or electronic form, all third parties in existence as of the date the contract is entered into, sold, leased or renewed;

(4) the contracting entity identifies all third parties in existence in a list on its website that is updated at least once every 90 days;

(5) the contracting entity requires a third party to identify the source of the discount on all remittance advices or explanations of payment under which a discount is taken, except that this paragraph shall not apply to electronic transactions mandated by the health insurance portability and accountability act of 1996, public law 104-191;

(6) the contracting entity notifies the third party of the termination of a provider network contract not later than 30 days from the termination date with the contracting entity; and

(7) a third party's right to a provider's discounted rate ceases as of the termination date of the provider network contract. The contracting entity shall make available a copy of the provider network contract relied on in the adjudication of a claim to a provider within 30 days of a request from the provider.

(d) No provider shall be bound by or required to perform dental treatment or services under a provider network contract that has been granted to a third party in violation of sections 1 through 4, and amendments thereto.

(e) The provisions of this section shall not apply to:

(1) Access to a provider network contract that is granted to a dental carrier or an entity operating in accordance with the same brand licensee program as the contracting entity or to an entity that is an affiliate of the contracting entity. A list of the contracting entity's affiliates shall be made available to a provider on the contracting entity's website; or

(2) a provider network contract for dental services provided to beneficiaries of state-sponsored health programs, including medical assistance and the children's health insurance program.

(f) The provisions of this section shall not be waived by contract. Any contractual arrangement in conflict with the provisions of this section or that purports to waive any requirements of this section shall be null and void and unenforceable.

Sec. 3. (a) No dental benefit plan shall contain restrictions on methods of payment to a dentist from the dental benefit plan, such plan's contracted vendor or health maintenance organization in which the only acceptable payment method is a credit card payment.

(b) If initiating or changing payments to a dentist using electronic funds transfer payments, including virtual credit card payments, a dental benefit plan, such plan's contracted vendor or health maintenance organization shall:

(1) Notify the dentist if any fees are associated with a particular payment method; and

(2) advise the dentist of the available methods of payment and provide clear instructions to the dentist as to how to select an alternative payment method.

(c) A dental benefit plan, such plan's contracted vendor or health maintenance organization that initiates or changes payments to a dentist through the automated clearing house network, as codified in 45 C.F.R. §§ 162.1601 and 162.1602, shall not charge a fee solely to transmit the payment to a dentist unless the dentist has consented to such fee. A dentist's agent may charge reasonable fees when transmitting an automated clearing house network payment related to transaction management, data management, portal services and other value-added services in addition to the bank transmittal.

(d) The provisions of this section shall not be waived by contract. Any contractual arrangement in conflict with the provisions of this section or that purports to waive any requirements of this section shall be null and void and unenforceable.

Sec. 4. Any violation of sections 1 through 3, and amendments thereto, shall be subject to enforcement by the commissioner of insurance.

Sec. 5. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 11, 2022.

CHAPTER 50

SENATE BILL No. 62
(Amended by Chapter 88)

AN ACT concerning sensory impairments; relating to hearing and vision impairments and the provision of assistance related thereto; authorizing the Kansas commission for the deaf and hard of hearing to adopt rules and regulations for interpreters and interpreter services; establishing a sign language interpreter registration process; providing guidelines for communication access services; providing standards for student vision screenings; establishing the Kansas children's vision health and school readiness commission; amending K.S.A. 72-6241, 72-6242, 75-4355a, 75-4355b, 75-5391, 75-5393 and 75-5397a and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. (a) A person seeking to interpret under K.S.A. 75-4355a through 75-4355d, and amendments thereto, and section 1 through 5, and amendments thereto, or to comply with any state or federal law or rules and regulations shall obtain registration in accordance with this section.

(b) To obtain registration as an interpreter, an applicant shall submit an application on a form and in a manner prescribed by the commission and shall pay the registration fee determined by the commission in rules and regulations. The commission may grant registration to any person who:

- (1) Has obtained a high school diploma or its equivalent;
- (2) is 18 years of age or older;
- (3) has no other record of disqualifying conduct as determined by the commission; and
- (4) has obtained a certification or other appropriate credentials as determined by the commission.

(c) (1) The commission may grant registration as an interpreter to an applicant who has been duly licensed or registered as an interpreter by examination under the laws of another state, territory or the District of Columbia if, in the opinion of the commission, the applicant substantially meets the qualifications for registration as an interpreter in this state. The applicant shall provide satisfactory evidence of verification of the applicant's licensure or registration from the original state of licensure or registration.

(2) The commission may grant temporary registration to a nonresident interpreter who holds a certificate or license in such interpreter's state of residence. An interpreter granted a temporary registration shall not interpret more than 20 separate days in a year in this state.

(d) (1) Registrations issued under this section shall expire on the date established by rules and regulations of the commission unless revoked prior to that time. The commission shall send a notice for renewal of registration to every interpreter at least 60 calendar days prior to the expiration date of such person's registration.

(2) (A) A registered interpreter shall have a grace period of 30 calendar days after a registration has expired to renew such registration without a late fee. The commission may charge a late fee for any renewal application received after such grace period. The commission shall determine the amount of the late fee in rules and regulations, but such fee shall not exceed \$200.

(B) An interpreter whose registration has expired after failing to submit a renewal application may renew registration upon payment of the late fee and submission of satisfactory evidence of completion of continuing education requirements established by the commission. For renewals of expired registrations, the commission may require additional testing, training or education to establish the interpreter's present ability to perform the functions and responsibilities of an interpreter.

(3) An interpreter, as a condition for renewal of a registration, shall attend not less than 30 hours of continuing education programming within a two-year period. Upon receipt of such application, payment of fee and evidence of satisfactory completion of the required continuing education, the commission shall verify the accuracy of the application and grant renewal of the registration.

(e) (1) The commission may require an applicant for registration as an interpreter to be fingerprinted and to submit to a state and national criminal history record check. The fingerprints shall be used to identify the applicant and to determine whether the applicant has a record of criminal history in this state or another jurisdiction. The commission is authorized to submit the fingerprints to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. The commission may use the information obtained from fingerprinting and the applicant's criminal history for purposes of verifying the identification of the applicant and making the official determination of the qualifications and fitness of the application to be issued or maintain registration.

(2) Local and state law enforcement officers and agencies shall assist the commission in taking the fingerprints of applicants for registration. Local and state law enforcement officers and agencies may charge a fee as reimbursement for expenses incurred in taking and processing fingerprints under this section. The Kansas bureau of investigation shall release all records of an applicant's adult convictions to the commission.

(3) The commission may fix and collect a fee for fingerprinting and conducting a state and national criminal history record check of applicants or registrants as may be required by the commission in an amount equal to the cost of fingerprinting and the criminal history record check.

(f) The commission may refuse to issue, renew or reinstate a registration, may condition, limit, revoke or suspend the registration of any individual if the applicant or registrant:

(1) Has been found incompetent or negligent in the practice of interpreting;

(2) has been convicted of a felony offense or a misdemeanor against persons and has not demonstrated to the commission's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;

(3) submits an application that contains false, misleading or incomplete information;

(4) fails or refuses to provide any information requested by the commission;

(5) fails or refuses to pay the required fees;

(6) is currently listed on a child abuse registry or an adult protective services registry as the result of a substantiated finding of abuse or neglect by any state agency, agency of another state or the United States, territory of the United States or another country, and the applicant or registrant has not demonstrated to the commission's satisfaction that such person has been sufficiently rehabilitated to merit the public trust; or

(7) has had a license, registration or certificate to practice as an interpreter revoked, suspended or limited, or has been the subject of other disciplinary action, or an application for a license, registration or certificate denied, by the proper regulatory authority of another state, territory, District of Columbia, or other country, a certified copy of the record of the action of the other jurisdiction being conclusive evidence thereof.

(g) Administrative proceedings and disciplinary actions regarding interpreter registration under sections 1 through 3, and amendments thereto, shall be conducted in accordance with the Kansas administrative procedure act. Judicial review and civil enforcement of agency actions under sections 1 through 3, and amendments thereto, shall be in accordance with the Kansas judicial review act.

(h) The executive director of the commission shall adopt rules and regulations to effectuate the provisions of this section. Such rules and regulations may include, but not be limited to:

(1) Fees, including, but not limited to, registration fees and late fees, that are necessary to fund the expenses and operating costs incurred in the administration and enforcement of this section;

(2) categories of interpreter certification and interpreter endorsements, including necessary credentials or qualifications;

(3) continuing education requirements and programs for registered interpreters;

(4) a code of professional conduct;

(5) a supervision and mentorship requirements and programs for interpreters with provisional registration;

(6) suspension or revocation of interpreter registration; and

(7) any other matter deemed necessary by the executive director to implement and administer this section.

New Sec. 2. (a) Except as provided in subsection (c), it shall be unlawful for any person who is not registered with the commission, or whose registration has been suspended or revoked, to:

- (1) Practice as an interpreter;
- (2) hold out to the public the intention, authority or skill to interpret;
- (3) provide video remote interpreting services; or
- (4) use any title or abbreviation to indicate the person is an interpreter registered with the commission.

(b) Except as provided in subsection (c), it shall be unlawful to:

(1) Cause or permit a person to interpret in Kansas, either in-person or remotely, with knowledge that such person is not a registered interpreter;

(2) represent that a person is a registered interpreter, when the entity knows or reasonably should know that such person is not a registered interpreter;

(3) hold out to the public, on behalf of a person, the intention, skill or authority to interpret, when the entity knows or reasonably should know that such person is not a registered interpreter; or

(4) accept payment for securing an interpreter under the provisions of K.S.A. 75-4355a through 75-4355d, and amendments thereto, when the person provided by the entity to interpret is not a registered interpreter.

(c) This section shall not apply to a person:

(1) Interpreting during a religious event;

(2) interpreting as a volunteer without compensation after receiving approval from the commission or the executive director;

(3) interpreting during an emergency, until the services of a registered interpreter can be obtained; or

(4) a student who is enrolled in and pursuing a degree or credential in interpreting or an interpreter training program or a provisional interpreter with a supervision plan overseen by the commission, while such student or provisional interpreter is under the supervision of a registered interpreter.

(d) When it appears to the commission that any person or entity is violating this section, the commission may bring an action in the name of the state of Kansas in a court of competent jurisdiction for an injunction against such violation without regard to whether proceedings have been or may be instituted before the commission or whether criminal proceedings have been or may be instituted.

New Sec. 3. (a) The commission shall develop and administer a program to provide guidelines for the utilization of communication access services, communication access service providers and interpreter service

agencies. The executive director of the commission may adopt rules and regulations to effectuate the provisions of this section. Such rules and regulations may include, but not be limited to:

(1) Fees necessary to fund the expenses and operating costs incurred in the administration and enforcement of this section;

(2) determination of the qualifications of communication access service providers;

(3) minimum standards of training of communication access service providers;

(4) registration of communication access service providers and interpreter service agencies;

(5) a code of professional conduct governing communication access service providers;

(6) standards for equipment or technology supporting communication access services;

(7) a system of statewide coordination of communication access services; and

(8) any other matter that the executive director deems necessary to effectuate the provisions of this section.

(b) (1) The commission may require communication access service providers to be fingerprinted and to submit to a state and national criminal history record check. The fingerprints shall be used to identify the applicant and to determine whether the applicant has a record of criminal history in this state or another jurisdiction. The commission is authorized to submit the fingerprints to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. The commission may use the information obtained from fingerprinting and the applicant's criminal history for purposes of verifying the identification of any individual and in the official determination of the qualifications and fitness of the individual to provide communication access services.

(2) Local and state law enforcement officers and agencies shall assist the commission in taking the fingerprints of individuals. Local and state law enforcement officers and agencies may charge a fee as reimbursement for expenses incurred in taking and processing fingerprints under this section. The Kansas bureau of investigation shall release all records of an individual's adult convictions to the commission.

(3) The commission may fix and collect a fee for fingerprinting and conducting a state and national criminal history record check of individuals pursuant to this section as may be required by the commission in an amount equal to the cost of fingerprinting and the criminal history record check.

New Sec. 4. (a) The commission shall remit all moneys received from fees, charges or penalties under sections 1 through 3, and amendments

thereto, to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount into the state treasury to the credit of the Kansas commission for the deaf and hard of hearing registration fee fund.

(b) There is hereby created in the state treasury the commission for deaf and hard of hearing registration fee fund. All moneys credited to the fund shall be used to carry out the powers, duties and functions of the commission. The fund shall be administered by the Kansas commission for the deaf and hard of hearing. All expenditures from the fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the executive director of the commission or the executive director's designee.

New Sec. 5. As used in K.S.A. 75-4355a through 75-4355d, and amendments thereto, and sections 1 through 5, and amendments thereto:

(a) "Commission" means the Kansas commission for the deaf and hard of hearing.

(b) "Communication access services" includes, but is not limited to:

(1) Communication access realtime translation services;

(2) notetakers;

(3) open and closed captioning services;

(4) support service providers for the deaf-blind; and

(5) any other effective method of making aurally delivered information available to individuals who are deaf or hard of hearing.

(c) "Communication access service provider" means an individual who is trained to offer a communication access service to communicate aurally delivered information to individuals who are deaf, hard of hearing or have speech and language impairments.

(d) "Executive director" means the executive director for the Kansas commission for the deaf and hard of hearing.

(e) "Interpreter" means an individual who engages in the practice of interpreting.

(f) "Interpreter service agency" means an entity that contracts with or employs registered interpreters to provide interpreter services, whether in person or remotely, for a fee.

(g) "Interpreting" means the translating or transliterating of English concepts to any communication modes of individuals who are deaf, hard of hearing or have speech and language impairments or the translating or transliterating of the communication modes of individuals who are deaf, hard of hearing or have speech and language impairments to English language concepts. Communication modes include, but are not limited to, American sign language, English-based sign language, cued speech, oral transliterating and information received tactually.

(h) “Video remote interpreter” means an interpreter who engages in the practice of video remote interpreting.

(i) “Video remote interpreting” means the process that allows an individual who is deaf or hard of hearing to communicate with a hearing individual at the same location through an interpreter displayed through videoconferencing or similar technology.

Sec. 6. K.S.A. 72-6241 is hereby amended to read as follows: 72-6241. As used in this act:

- (a) ~~“School board” means the governing body of any school;~~
- (b) ~~“school” means all elementary and high schools;~~
- (c) ~~“Accredited nonpublic school” means all nonpublic elementary and secondary schools accredited by the state board of education;~~
- (b) “basic vision screening” means an age-appropriate eye testing program for each child based on a test chart which is graduated as to size of symbols, or the so-called Snellen test, or any other system or method of testing equal thereto or better in the judgment of the school board that is implemented according to the most recent edition of the Kansas vision screening requirements and guidelines and includes referrals for eye examinations and necessary follow-ups;
- (c) “board of education” means the board of education of any school district;
- (d) “IDEA part B” means all statewide programs providing special education and related services to children with disabilities aged 3 through 5 in accordance with 20 U.S.C. § 1411, and amendments thereto;
- (e) “school district” means any school district organized under the laws of this state; and
- (f) “vision screener” means any school nurse, or the nurse’s designee, or other person who is trained to administer a vision screening test to students in the state of Kansas.

Sec. 7. K.S.A. 72-6242 is hereby amended to read as follows: 72-6242. (a) Basic vision screening shall be provided without charge in accordance with the following:

- (1) ~~Each school board shall provide basic vision screening without charge to every pupil annually, for every child participating in IDEA part B programs;~~
- (2) ~~at least once each school year for students enrolled in each kindergarten and each of the grades one through three, five, seven and 10 in a school under the governance of such school board not less than once every two (2) years. All such tests district or an accredited nonpublic school; and~~
- (3) ~~within the first year of admission for any student who enrolls in a school district or an accredited nonpublic school.~~
- (b) (1) Every student enrolled in a school district shall be provided

basic vision screening by the board of education of the school district in which the student is enrolled.

(2) *Every student enrolled in an accredited nonpublic school shall be provided basic vision screening by either:*

(A) *The accredited nonpublic school in which the student is enrolled; or*

(B) *upon request by the student's parent or guardian, by the board of education of the school district in which the student resides.*

(c) *Basic vision screenings shall be performed by a ~~teacher or some other person~~ vision screener designated by the school board of education or by an accredited nonpublic school. Vision screeners shall be required to follow the most recent state vision screening guidelines for performing vision screening. The results of the ~~test~~ screening and, if necessary, the ~~desirability of referral for an examination by a qualified physician, an ophthalmologist or optometrist shall be reported to the parents or guardians of such pupils. Information relating to the desirability of the student. The referral for an examination by a qualified physician, an ophthalmologist or optometrist shall not show preference in favor of any such professional person ophthalmologist or optometrist.~~*

(2) ~~The requirements of this subsection shall not apply to a pupil who has had a basic vision screening examination within six months prior to the provision of basic vision screening in the school in which the pupil is enrolled.~~

~~(b)~~(d) *Each ~~pupil~~ student needing assistance in achieving mastery of basic reading, writing and mathematics skills shall be encouraged to obtain an eye examination by an optometrist or ophthalmologist to determine if the ~~pupil~~ student suffers from conditions ~~which that~~ impair the ability to read. Expense for such examination, if not reimbursed through medicaid, Healthwave, private insurance or *any* other governmental or private program, shall be the responsibility of the ~~pupil's~~ student's parent or guardian.*

(e) *A Kansas children's vision health and school readiness commission shall be established to ensure the implementation of this section. Members of the commission shall be appointed by the state board of education. The commission shall be comprised of:*

(1) *One optometrist;*

(2) *one ophthalmologist;*

(3) *one representative of a health organization dedicated to preventing blindness;*

(4) *one representative of the department of education;*

(5) *one representative of the department of health and environment;*

(6) *one school nurse;*

(7) *one public health nurse; and*

(8) *one school administrator.*

(f) *Members of the commission shall not be reimbursed for meeting expenses.*

(g) *The duties of the commission are as follows:*

(1) *Overseeing revision of state vision screening requirements and guidelines no fewer than once every seven years;*

(2) *providing standardized vision screening referral letters and eye professional examination reports as referenced in the Kansas vision screening requirements and guidelines;*

(3) *identifying state resources that assist in providing opportunities to offer free or low-cost eye exams for students who fail vision screenings and are unable to afford an examination on their own; and*

(4) *establishing a system to collect data from school health personnel concerning the results of the original screenings and referral outcomes, as well as issuing an annual report to the secretary of health and environment and the commissioner of education.*

Sec. 8. K.S.A. 75-4355a is hereby amended to read as follows: 75-4355a. ~~A qualified~~ *An interpreter registered with the Kansas commission for the deaf and hard of hearing shall be secured for any person who is deaf, hard of hearing or speech impaired in any grand jury, court or jury proceeding whether such person is a plaintiff, defendant, juror or witness in such action, and the interpreter shall interpret throughout the actual trial and during the time that the jury is sequestered or engaged in its deliberations.*

Sec. 9. K.S.A. 75-4355b is hereby amended to read as follows: 75-4355b. (a) ~~All interpreters for the deaf, hard of hearing and speech-impaired individuals that have speech and language impairments, secured under the provisions of K.S.A. 75-4355a through 75-4355d, and amendments thereto, or in compliance with any state or federal law or rules and regulations, shall be certified by or~~ *registered with the Kansas commission for the deaf and hard of hearing or an agency designated by the commission. The chairperson of the governmental committee or commission, or the head of the governmental agency or other entity, or the court is responsible for assuring the procurement of the interpreter.*

(b) *The commission shall recommend reasonable fees for the services of the interpreter. At no time shall the fees for interpreter services be assessed against the person who is deaf, hard of hearing or speech-impaired has speech and language impairments.*

(c) *No person shall serve as an interpreter if such interpreter is married to that person, related to that person or is otherwise interested in the outcome of the proceeding. Exceptions can be made in extreme conditions, subject to the approval of the commission.*

(d) *No person shall serve as an interpreter pursuant to K.S.A. 75-4355a through 75-4355d, and amendments thereto, unless the commis-*

sion makes the determination that the person is qualified to interpret. The commission may designate the executive director of the commission or a local agency to make such determination and approval under the provisions of K.S.A. 75-4355a through 75-4355d, *and amendments thereto*. A person is qualified to interpret if such person is able to interpret effectively, accurately and impartially, both receptively and expressively, using any necessary specialized vocabulary.

(e) If preferred by the deaf, hard of hearing or speech impaired person and if feasible, other ~~modes of communication, such as notetakers, open captioning equipment, assistive listening devices~~ *access services* or other technology may be used in place of an interpreter.

Sec. 10. K.S.A. 75-5391 is hereby amended to read as follows: 75-5391. (a) There is hereby established within the Kansas department for children and families the Kansas commission for the deaf and hard of hearing. The commission shall:

(1) Advocate services affecting the deaf and hard of hearing in the areas of public services, health care, educational, vocational and employment opportunity;

(2) act as a bureau of information for the deaf and hard of hearing to state agencies and public institutions providing general health and mental health care, employment, vocational, and educational services, and to local agencies and programs;

(3) collect facts and statistics and other special studies of conditions affecting the health and welfare of the deaf and hard of hearing in this state;

(4) provide for a mutual exchange of ideas and information on the national, state and local levels;

(5) provide public education ~~of prenatal and postnatal warning signs of conditions which may lead to deafness or hearing impairment in the fetus or newborn child.~~

(A) *Regarding best practices in language acquisition development in deaf and hard of hearing children and aural rehabilitation options; and*

(B) *to promote the eradication of ignorance and discrimination toward deaf and hard of hearing people in schools and employment;*

(6) encourage and assist local governments in the development of programs for the deaf and hard of hearing;

(7) cooperate with public and private agencies and units of local, state and federal governments in promoting coordination in programs for the deaf and hard of hearing;

(8) provide for the social, emotional, educational and vocational needs of the deaf and hard of hearing and their families;

(9) serve as an advisory board to the governor *and legislature* on the needs of the deaf and hard of hearing by preparing an annual report ~~which~~

that reviews the status of all state services to the deaf and hard of hearing within Kansas, and to recommend priorities to the governor for the development and coordination of services to the deaf and hard of hearing; and

(10) make recommendations for needed improvements, and serve as an advisory board in regard to new legislation affecting the deaf and hard of hearing.

(b) *The commission may:*

(1) *Develop and oversee programs concerning interpreters, interpreter service agencies, and communication access services;*

(2) *become a member of or affiliate with any professional organization related to the powers, duties and functions of the commission; and*

(3) *undertake any and all other acts as may be necessary for the performance of the commission's powers, duties and functions in the administration of K.S.A. 75-4355a through 75-4355d, and amendments thereto, and sections 1 through 5, and amendments thereto.*

(c) Except as otherwise provided by this act, all budgeting, purchasing and related management functions of the Kansas commission for the deaf and hard of hearing shall be administered ~~under the direction and supervision of~~ by the secretary for children and families. Within the limitations of available appropriations, the secretary for children and families shall provide additional clerical and other assistance as may be required for the commission. *The executive director shall report directly to the deputy secretary or secretary for administrative purposes only.*

Sec. 11. K.S.A. 75-5393 is hereby amended to read as follows: 75-5393.

(a) The Kansas commission for the deaf and hard of hearing shall employ an executive director and shall fix the duties, responsibilities and qualifications thereof. The executive director shall be a full-time employee of the commission who shall be in the unclassified service under the Kansas civil service act and shall receive an annual salary to be fixed by the commission, *and such salary shall be comparable to the salaries of executive directors of other commissions.* The executive director shall receive actual and necessary expenses incurred while in the discharge of official duties.

(b) The executive director, with the advice and consent of the commission shall:

(1) Within the limitations of available appropriations, plan and oversee the establishment of service centers for the deaf and hard of hearing in areas where the commission deems they are needed and in concurrence with the secretary for children and families and in consultation with local boards of directors of community service centers and local groups promoting or providing services to the deaf or hard of hearing, or both;

(2) promote accessibility of all governmental services to deaf and hard of hearing citizens in Kansas including those deaf and hard of hearing persons with multiple disabilities;

(3) identify agencies, both public and private ~~which~~ *that* provide community services, evaluate the extent to which they make services available to deaf and hard of hearing people and their families, and cooperate with the agencies in coordinating and extending these services;

(4) provide for the mutual exchange of ideas and information on services for deaf and hard of hearing people between federal, state and local governmental agencies and private organizations and individuals;

(5) survey the needs of the deaf and hard of hearing population in Kansas and assist the commission in the preparation of its report to the governor;

(6) maintain a listing of persons qualified in various types of interpreting and ~~aural rehabilitation~~ *communication access services* for the deaf and make this information available to local, state, federal and private organizations and to individuals;

(7) promote the training of interpreters for the deaf and hard of hearing;

(8) serve as an advocate for the rights of deaf and hard of hearing people and perform such other duties as may be required by law;

(9) provide interpreter services for the deaf and hard of hearing to be funded from ~~user~~ *fees collected pursuant to K.S.A. 75-5397a, and amendments thereto*;

(10) provide a telecommunication message relay service for the deaf and hard of hearing;

(11) provide for a program of ~~regulation and certification~~ *registration* of interpreters; ~~and~~

(12) *provide for a program of statewide coordination for communication access services and service providers; and*

(13) employ such persons as may be needed from time to time, in the judgment of the executive director, to carry out the director's responsibilities under paragraphs (9), (10) ~~and, (11) of this subsection and~~ (12). Such employees shall be in the unclassified civil service and shall receive an annual salary to be fixed by the commission.

(c) In selecting an executive director, the commission shall select an individual who is fluent in the American sign language of the deaf and shall give consideration and priority to qualified applicants who are deaf or hard of hearing. *The commission shall supervise and evaluate the executive director.*

Sec. 12. K.S.A. 75-5397a is hereby amended to read as follows: 75-5397a. (a) The Kansas commission for the deaf and hard of hearing may fix, charge and collect reasonable fees for providing interpreter services, interpreter ~~certification~~ *registration, communication access services* and sign language instruction.

(b) The secretary for children and families shall remit all moneys received by the commission for ~~such~~ *providing interpreter services, commu-*

nication access services and sign language instruction to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the Kansas department for children and families enterprise fund.

Sec. 13. K.S.A. 72-6241, 72-6242, 75-4355a, 75-4355b, 75-5391, 75-5393 and 75-5397a are hereby repealed.

Sec. 14. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 11, 2022.

CHAPTER 51

HOUSE BILL No. 2717

AN ACT concerning municipalities; relating to law enforcement agencies and cooperation with federal officials regarding citizenship, immigration status and enforcement of federal immigration laws; requiring any municipal identification card to state it is not valid for state identification including voter identification; amending K.S.A. 8-1327 and 25-2908 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. As used in K.S.A. 8-1327, and amendments thereto, and sections 1 through 6, and amendments thereto:

(a) “Law enforcement agency” means a city police department, a county sheriff’s department, a county police department or any law enforcement department of a taxing subdivision of the state.

(b) “Law enforcement officer” means a full-time or part-time officer or employee of a city, county or taxing subdivision of the state whose duties include the prevention or detection of crime and the enforcement of criminal and traffic laws of the state or of any municipality.

(c) “Municipal identification card” means any document, card or other instrument authorized or issued by or on behalf of a city or county and bearing a name, photograph or other descriptive information of any individual and intended for use as a form of identification.

(d) “Municipality” means a city, county or any taxing subdivision of the state that employs law enforcement officers.

New Sec. 2. (a) No municipality shall enact, implement or enforce an ordinance, resolution, rule or policy that prohibits or in any way restricts a law enforcement officer, local official or local government employee, from taking the following actions with regard to information of the citizenship or immigration status, lawful or unlawful, of an individual:

- (1) Communicating or cooperating with federal officials;
- (2) sending to or receiving information from the United States department of homeland security;
- (3) obtaining or maintaining information; or
- (4) exchanging information with another federal, state, or local government entity.

(b) Any ordinance, resolution, rule or policy that violates subsection (a) is null and void.

New Sec. 3. A municipality shall not limit or restrict the enforcement of federal immigration laws.

New Sec. 4. A municipal identification card shall not be used to satisfy any requirement of state law for proof of identity and each municipal identification card shall state on its face the statement “Not valid for state ID”.

New Sec. 5. It is unlawful to use racial or other biased-based policing in the enforcement of federal immigration law and communications with federal agencies within the scope of this act. As used in this section, “racial or other biased-based policing” means the same as defined in K.S.A. 22-4606, and amendments thereto. Any person who believes such person has been subjected to racial or other biased-based policing by a law enforcement officer or agency in violation of this section may file a complaint pursuant to K.S.A. 22-4611, and amendments thereto.

New Sec. 6. The attorney general or county or district attorney may bring an action to compel compliance with sections 2 through 5, and amendments thereto, and if a court finds that a municipality or any other person or entity has violated, is violating or is about to violate any provision of this act the court shall enjoin the municipality, person or entity to comply with this act.

Sec. 7. K.S.A. 8-1327 is hereby amended to read as follows: 8-1327. (a) It shall be unlawful for any person, for any purpose, to:

(1) Display, cause or permit to be displayed, or have in possession, any fictitious, fraudulently altered or fraudulently obtained identification card.

(2) Lend any identification card to any other person or knowingly permit the use thereof by another.

(3) Display or represent any identification card not issued to the person as being the person’s card.

(4) Permit any unlawful use of an identification card issued to the person.

(5) Use a false or fictitious name in any application for an identification card, or any renewal or replacement thereof, or knowingly conceal a material fact or otherwise commit a fraud in any such application.

(6) Display or possess any photograph, photostat, duplicate, reproduction or facsimile of an identification card unless authorized by the provisions of this act.

(7) Photograph, photostat, duplicate or in any way reproduce any identification card or facsimile thereof in such a manner that it could be mistaken for a valid identification card or display or have in possession any such photograph, photostat, duplicate, reproduction or facsimile unless authorized by law.

(8) Fail or refuse to surrender to the division upon its lawful demand any identification card which has been canceled.

(9) Display or cause or permit to be displayed any canceled identification card.

(b) Violation of ~~paragraphs (1) or (9) of subsection (a)~~ *subsections (a)(1) or (a)(9)* is a class B nonperson misdemeanor. Violation of ~~paragraphs (2), (3), (4), (6), (7) or (8) of subsection (a)~~ *subsections (a)(2), (a)(3), (a)(4), (a)(6), (a)(7) or (a)(8)* is a class A nonperson misdemeanor. Violation

of paragraph (5) of subsection (a) *subsection (a)(5)* is a severity level 9, nonperson felony.

(c) It shall be unlawful for any person to:

(1) Lend any identification card to or knowingly permit the use of any identification card by any person under 21 years of age for use in the purchase of any alcoholic liquor.

(2) Lend any identification card to or knowingly permit the use of any identification card by any person under the legal age for consumption of cereal malt beverage for use in the purchase of any cereal malt beverage.

(3) Lend any identification card, driver's license or other form of identification to aid another person in obtaining an identification card or replacement identification card.

(4) Display or cause to be displayed or have in possession any fictitious or fraudulently altered identification card by any person under 21 years of age for use in the purchase of any alcoholic liquor or cereal malt beverage.

(d) (1) Upon a first conviction of a violation of any provision of subsection (c) a person shall be guilty of a class B nonperson misdemeanor and shall be sentenced to not less than 100 hours of public service and fined not less than \$200 nor more than \$500.

(2) On a second or subsequent conviction of a violation of any provision of subsection (c), a person shall be guilty of a class A nonperson misdemeanor.

(e) The provisions of this section shall apply to any identification card, driver's license or other form of identification whether issued under the laws of this state or issued under the laws of another state or jurisdiction *and to any municipal identification card as defined by section 1, and amendments thereto.*

Sec. 8. K.S.A. 25-2908 is hereby amended to read as follows: 25-2908.

(a) Each polling place shall use either: (1) A registration book and a poll book, as defined in K.S.A. 25-2507(a) and ~~K.S.A. 25-2507(b)(1)~~, and amendments thereto; or (2) a registration book, as defined in K.S.A. 25-2507(b)(2), and amendments thereto. The county election officer shall determine which books are used in each county, and which book voters shall sign.

(b) A person desiring to vote shall provide to the election board: (1) The voter's name; (2) if required, the voter's address; (3) the voter's signature on the registration or poll book; and (4) a valid form of identification listed in subsection (h). A signature may be made by mark, initials, typewriter, print, stamp, symbol or any other manner if by placing the signature on the document the person intends the signature to be binding. A signature may be made by another person at the voter's direction if the signature reflects such voter's intention.

(c) A member of the election board shall:

(1) Announce the voter's name in a loud and distinct tone of voice, and, if the name is in the registration books, the member of the election board having the registration record shall repeat the name;

(2) request the voter's signature on the registration or poll book;

(3) provide the required signature at the request of and on behalf of any voter who is unable to personally affix a signature by reason of temporary illness or disability, or lack of proficiency in reading the English language;

(4) request a valid form of identification from the voter. If the member of the election board is satisfied that the voter is the person depicted in the identification and that the identification provided is one of the valid forms of identification listed in subsection (h), the member of the election board shall place such member's initials in the space provided and allow the voter to vote;

(5) give the voter one ballot, on the upper right-hand corner of which shall be written the number corresponding to the voter's number in the registration book or poll book; and

(6) mark the voter's name in the registration book and party affiliation list.

(d) If a voter is unable or refuses to provide current and valid identification, the voter may vote a provisional ballot pursuant to K.S.A. 25-409, and amendments thereto. If the voter's name and address do not match the voter's name and address on the registration book or poll book, the voter may vote a provisional ballot according to K.S.A. 25-409, and amendments thereto. The voter shall provide a valid form of identification as defined in subsection (h) ~~of this section~~ to the county election officer in person or provide a copy by mail or electronic means before the meeting of the county board of canvassers. At the meeting of the county board of canvassers the county election officer shall present copies of identification received from provisional voters and the corresponding provisional ballots. If the county board of canvassers determines that a voter's identification is valid and the provisional ballot was properly cast, the ballot shall be counted.

(e) If the name of any person desiring to vote at an election is not in the registration books, an election board member shall print the name and address of the person appearing to vote in the registration book or poll book. The person appearing to vote shall add such person's signature to the registration book or poll book beside such person's printed name, as listed in the registration book or poll book, and the election board judge shall challenge such person's vote pursuant to K.S.A. 25-414, and amendments thereto. During the pendency of a challenge other voters shall be given ballots and be permitted to vote.

(f) A voter who has received an advance voting ballot may vote a provisional ballot on election day at the precinct polling place where the voter resides. If the voter returns the advance voting ballot to a judge or clerk at

the precinct polling place, the judge or clerk shall void such advance voting ballot. Any such provisional ballot shall be counted only if the county board of canvassers determines that the provisional ballot was properly cast and the voter has not otherwise voted at such election.

(g) The secretary of state may adopt rules and regulations in order to implement the provisions of this section and define valid forms of identification with greater specificity, however the requirement that a voter must provide a form of identification that complies with ~~the~~ subsection (h) may not be altered.

(h) (1) The following forms of identification shall be valid if the identification contains the name and photograph of the voter and has not expired. Expired documents shall be valid if the bearer of the document is 65 years of age or older:

(A) A driver's license issued by Kansas or by another state or district of the United States;

(B) a state identification card issued by Kansas or by another state or district of the United States;

(C) a concealed carry of handgun license issued by Kansas or a concealed carry of handgun or weapon license issued by another state or district of the United States;

(D) a United States passport;

(E) an employee badge or ~~identification document~~ issued by a municipal, county, state, or federal government office or agency;

(F) a military identification document issued by the United States;

(G) a student identification card issued by an accredited postsecondary institution of education in the state of Kansas;

(H) a public assistance identification card issued by a municipal, county, state, or federal government office or agency; or

(I) an identification card issued by an Indian tribe.

(2) If the person fails to furnish the identification required by this subsection, the person shall be allowed to vote a provisional ballot. The canvassing board shall determine the validity of the ballot pursuant to K.S.A. 25-3002, and amendments thereto.

(i) The following persons are exempt from the photographic identification document requirements of this section:

(1) Persons with a permanent physical disability that makes it impossible for such persons to travel to a county or state office to obtain a qualifying form of identification and have qualified for permanent advance voting status under K.S.A. 25-1124, and amendments thereto;

(2) members of the uniformed service on active duty who, by reason of such active duty, are absent from the county on election day;

(3) members of the merchant marine who, by reason of service in the merchant marine, are absent from the county on election day;

(4) the spouse or dependent of a member referred to in paragraph (2) or (3), who, by reason of the active duty or service of the member, is absent from the county on election day; and

(5) any voter whose religious beliefs prohibit photographic identification. Any person seeking an exemption under this provision must complete and transmit a declaration concerning such religious beliefs to the county election officer or the Kansas secretary of state. The declaration form shall be available on the official website of the Kansas secretary of state.

(j) “Indian tribe” or “tribe” means any Indian tribe, band, nation or other organized group or community of Indians recognized as eligible for the services provided to Indians by the secretary of the interior because of their status as Indians, including any Alaska native village, as defined in 43 U.S.C. § 1602(c).

Sec. 9. K.S.A. 8-1327 and 25-2908 are hereby repealed.

Sec. 10. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 11, 2022.

CHAPTER 52

SENATE BILL No. 479*

AN ACT authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol; establishing the Kansas suffragist memorial fund.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) The capitol preservation committee shall approve plans, pursuant to K.S.A. 75-2269, and amendments thereto, to place a permanent memorial in the state capitol commemorating the decades of work of Kansas suffragists toward achieving the right of women to vote in Kansas in 1912 and the passage of the 19th amendment to the constitution of the United States in 1920.

(b) The secretary of administration is hereby authorized to receive moneys from any grants, gifts, contributions or bequests made for the purpose of financing the creation and construction of the memorial and to expend such moneys received for such purpose. The secretary of administration shall remit all moneys so received to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the Kansas suffragist memorial fund. No public funds shall be expended for the purpose of financing the creation or construction of the memorial.

(c) There is hereby established in the state treasury the Kansas suffragist memorial fund. Expenditures from the fund may be made for the purposes of creating and constructing the memorial and for such other purposes as may be specified with regard to any grant, gift, contribution or bequest. All such expenditures shall be made upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of administration or the secretary's designee.

Sec. 2. This act shall take effect and be in force from and after its publication in the Kansas register.

Approved April 11, 2022.

Published in the *Kansas Register* April 21, 2022.

CHAPTER 53

SENATE BILL No. 405*

AN ACT concerning the disposition of certain state real property; authorizing the state historical society to convey certain real property located in Johnson county to the Shawnee Tribe; imposing certain conditions; prescribing costs of conveyance.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) Subject to the provisions of this section, the state historical society, for and on behalf of the state of Kansas, is hereby authorized to convey to the Shawnee Tribe all of the rights, title and interest in the following described real estate, and any improvements thereon, located in Johnson county, Kansas, containing 0.52 acres more or less:

Beginning at point 754.2 feet east and 336 feet south of the center of section 11, township 12, range 24, thence west 150 feet, thence south 140 feet, thence east 150 feet, thence north 140 feet to point of beginning. The same being the burial ground in S.E. Corner of the Methodist Church reserve as recorded on page 140 Book 94 of Deeds.

(b) Conveyance of such rights, title and interest in such real estate, and any improvements thereon, shall be executed in the name of the state historical society by the executive director of the state historical society by quitclaim deed without the necessity of appraisal, bid or publication and shall not be subject to the provisions of K.S.A. 75-3043a, and amendments thereto. No exchange and conveyance of real estate, and any improvements thereon, as authorized by this section shall be made by the executive director until the deeds and conveyances have been reviewed and approved by the attorney general.

(c) The Shawnee Tribe agrees to pay all costs related to the conveyance and shall grant the state a historic preservation easement that will reflect current federal preservation laws regarding properties listed in the national register of historic places. The Shawnee Tribe further agrees that such land described in subsection (a) and any land adjacent to or near the cemetery shall not be used as a casino or other gaming facility.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 11, 2022.

CHAPTER 54

HOUSE BILL No. 2644*

AN ACT designating the Sandhill plum as the official state fruit.

Be it enacted by the Legislature of the State of Kansas:

Section 1. The fruit known as the Sandhill plum, Chickasaw plum, is hereby designated and declared to be the official state fruit.

Sec. 2. This act shall take effect and be in force from and after its publication in the Kansas register.

Approved April 12, 2022.

Published in the *Kansas Register* April 21, 2022.

CHAPTER 55

HOUSE BILL No. 2489

AN ACT concerning financial institutions; relating to technology-enabled fiduciary financial institutions; out-of-state financial institutions; imposing certain fiduciary duties and charitable distribution requirements on financial institutions engaging in fiduciary financial institution business; requiring banks to conduct fidfin transactions through a separate department; exempting financial institutions from certain provisions of the technology-enabled fiduciary financial institutions act; establishing fees and assessments; examinations; disclosures to consumers; mandatory reporting of elder abuse; amending K.S.A. 39-1401 and K.S.A. 2021 Supp. 9-2301, 9-2302, 9-2303, 9-2304, 9-2306, 9-2307, 9-2310, 9-2311, 9-2312, 9-2317 and 9-2318 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2021 Supp. 9-2301 is hereby amended to read as follows: 9-2301. (a) The provisions of K.S.A. 2021 Supp. 9-2301 through 9-2327, and amendments thereto, shall be known and may be cited as the technology-enabled fiduciary financial institutions act. The technology-enabled fiduciary financial institutions act shall be a part of and supplemental to chapter 9 of the Kansas Statutes Annotated, and amendments thereto.

(b) For purposes of *the* technology-enabled fiduciary financial institutions act:

(1) “Act” means the technology-enabled fiduciary financial institutions act;

(2) “alternative asset” means professionally managed investment assets that are not publicly traded, including, but not limited to, private equity, venture capital, leveraged buyouts, special situations, structured credit, private debt, private real estate funds and natural resources, including any economic or beneficial interest therein;

(3) “alternative asset custody account” means an account created by the owner of an alternative asset that designates a fiduciary financial institution as custodian or agent and into which the ~~client~~ owner transfers, electronically or otherwise, content, materials, data, information, documents, reports and contracts in any form, including, without limitation, evidence of ownership, subscription agreements, private placement memoranda, limited partnership agreements, operating agreements, financial statements, annual and quarterly reports, capital account statements, tax statements, correspondence from the general partner, manager or investment advisor of the alternative asset, an investment contract as defined in K.S.A. 17-12a102(28)(E), and amendments thereto, and any digital asset as defined in K.S.A. 58-4802, and amendments thereto, whether such information is in hard copy form or a representation of such information that is stored in a computer readable format;

(4) “charitable beneficiaries” means one or more charities, contributions to which are allowable as a deduction pursuant to section 170 of the federal internal revenue code that are designated as beneficiaries of a fidfin trust;

(5) “custodial services” means the safekeeping and management of an alternative asset custody account, including the execution of customer instructions, serving as agent, fund administrative services and overall decision-making and management of the account by a fiduciary financial institution and “custodial services” shall be deemed to involve the exercise of fiduciary and trust powers;

(6) “economic growth zone” means an incorporated community with a population of not more than 5,000 people located within one of the following counties: Allen, Anderson, Barber, Bourbon, Brown, Chase, Chautauqua, Cherokee, Cheyenne, Clark, Clay, Cloud, Coffey, Comanche, Decatur, Doniphan, Edwards, Elk, Ellsworth, Gove, Graham, Grant, Gray, Greeley, Greenwood, Hamilton, Harper, Harvey, Haskell, Hodgeman, Jackson, Jewell, Kearny, Kingman, Kiowa, Labette, Lane, Lincoln, Linn, Logan, Marion, Marshall, Meade, Mitchell, Montgomery, Morris, Morton, Nemaha, Neosho, Ness, Norton, Osborne, Ottawa, Pawnee, Phillips, Pratt, Rawlins, Republic, Rice, Rooks, Rush, Russell, Scott, Sheridan, Sherman, Smith, Stafford, Stanton, Stevens, Sumner, Trego, Thomas, Wabaunsee, Wallace, Washington, Wichita, Wilson or Woodson;

(7) “excluded fiduciary” means a fiduciary financial institution in its capacity as trustee of a fidfin trust, provided that a fiduciary financial institution shall only be deemed an “excluded fiduciary” to the extent the fiduciary financial institution is excluded from exercising certain powers under the instrument that may be exercised by the trust advisor or other persons designated in the instrument;

(8) “fidfin,” “fidfin services” or “fidfin transactions” means the financing of a fidfin trust *or the acquisition of alternative assets on behalf of and through a fidfin trust, or both*, as provided in K.S.A. 2021 Supp. 9-2311, and amendments thereto, including loans, extensions of credit and direct investments;

(9) “fidfin trust” means a trust created to facilitate the delivery of fidfin services by a fiduciary financial institution;

(10) “fiduciary” means a trustee, a trust advisor or a custodian of an alternative asset custody account appointed under an instrument that is acting in a fiduciary capacity for any person, trust or estate;

(11) “instrument” means any document creating a fidfin trust or alternative asset custody account;

(12) “out-of-state bank” means a national or state bank, savings and loan association or savings bank not incorporated under the laws of Kansas;

(13) “out-of-state financial institution” means an out-of-state bank or an out-of-state trust company;

(14) “out-of-state trust company” means a national or state trust company not incorporated under the laws of Kansas;

(15) (A) “qualified investment” means the purchase or development, in the aggregate, of at least 10,000 square feet of commercial, industrial, multiuse or multifamily real estate in the economic growth zone where the fiduciary financial institution maintains its principal office pursuant to K.S.A. 2021 Supp. 9-2309, and amendments thereto, provided that such community has committed to develop the necessary infrastructure to support a “qualified investment.” A “qualified investment”:

(i) May include, as part of satisfying the square footage requirements, the suitable office space of such fiduciary financial institution, as provided in K.S.A. 2021 Supp. 9-2309, and amendments thereto, if owned by the fiduciary financial institution;

(ii) shall be exempt from the provisions and limitations of K.S.A. 9-1102, and amendments thereto;

(iii) may be retained by a fiduciary financial institution for as long as the fiduciary financial institution operates in this state; and

(iv) may be sold, transferred or otherwise disposed of, including a sale or transfer to an affiliate of the fiduciary financial institution, if the fiduciary financial institution continues to maintain its principal office in an economic growth zone pursuant to K.S.A. 2021 Supp. 9-2309, and amendments thereto;

(B) notwithstanding the foregoing provisions, if a fiduciary financial institution leases any portion of a qualified investment made by another fiduciary financial institution as the lessee fiduciary financial institution’s suitable office space:

(i) The lessee fiduciary financial institution shall make, or cause to be made, a qualified investment in an economic growth zone other than the economic growth zone where such fiduciary financial institution maintains its principal office;

(ii) the leased square footage shall count toward the square footage requirement applicable to a qualified investment under this section, if such lease has an initial term of not less than five years; and

(iii) the square footage requirement otherwise applicable to a qualified investment of the lessee fiduciary financial institution shall be reduced from 10,000 square feet to 5,000 square feet;

~~(13)~~(16) “technology-enabled fiduciary financial institution” or “fiduciary financial institution” means any limited liability company, limited partnership or corporation that:

(A) Is organized to perform any one or more of the activities and services authorized by this act;

(B) has been authorized to conduct business as a fiduciary financial institution under this chapter pursuant to the provisions of K.S.A. 2021 Supp. 9-2302, and amendments thereto;

(C) has made, committed to make or caused to be made a qualified investment; and

(D) has committed, in or as a part of the application provided in K.S.A. 2021 Supp. 9-2302, and amendments thereto, to conduct any fidfin transactions in accordance with K.S.A. 2021 Supp. 9-2311, and amendments thereto, including the distributions required therein;

~~(14)~~(17) “trust” means a trust created pursuant to the Kansas uniform trust code, K.S.A. 58a-101 et seq., and amendments thereto, or created pursuant to the Kansas business trust act of 1961, K.S.A. 17-2707 et seq., and amendments thereto;

~~(15)~~(18) “trust advisor” means a fiduciary granted authority by an instrument to exercise, consent, direct, including the power to direct as provided in K.S.A. 58a-808, and amendments thereto, or approve all or any portion of the powers and discretion conferred upon the trustee of a fidfin trust, including the power to invest the assets of a fidfin trust or make or cause distributions to be made from such fidfin trust; and

~~(16)~~(19) the definitions of K.S.A. 9-701, and amendments thereto, apply to fiduciary financial institutions except as otherwise provided in this act.

Sec. 2. K.S.A. 2021 Supp. 9-2302 is hereby amended to read as follows: 9-2302. (a) No fiduciary financial institution shall be organized under the laws of this state nor engage in fidfin transactions, custodial services or trust business in this state until the application for such fiduciary financial institution’s organization and the application for certificate of authority have been submitted to and approved by the state banking board. The form for making any such application shall be prescribed by the state banking board and any application made to the state banking board shall contain such information as the state banking board shall require. Except as provided in K.S.A. 2021 Supp. 9-2325, and amendments thereto, the state banking board shall not approve any application until the Beneficient conditional charter has been converted to a full charter and the commissioner has completed a regulatory examination.

(b) (1) No *Kansas-chartered state bank, Kansas-chartered state trust company or fiduciary financial institution* shall engage in fidfin transactions in this state unless an application has been submitted under this act and approved by the state banking board.

(2) *Except as otherwise provided by this subsection, any trust company whose application has been approved in accordance with this section and any out-of-state trust company engaging in fidfin transactions in this state shall be considered a fiduciary financial institution for the purposes*

of this act, shall have all rights and powers granted to a fiduciary financial institution under this act and shall owe all duties and obligations imposed on fiduciary financial institutions under this act, including, but not limited to, the fiduciary duties imposed under K.S.A. 2021 Supp. 9-2311 and 9-2313, and amendments thereto, and the requirements of K.S.A. 2021 Supp. 9-2302(c)(5) and (6), and amendments thereto.

(3) Any bank whose application has been approved in accordance with this section and any out-of-state bank that engages in fidfin transactions in this state shall have a separate department for handling fidfin transactions. Except as otherwise provided by this subsection, such separate department shall be considered a fiduciary financial institution for the purposes of this act, shall have all rights and powers granted to a fiduciary financial institution under this act and shall owe all duties and obligations imposed on fiduciary financial institutions under this act, including, but not limited to, the fiduciary duties imposed under K.S.A. 2021 Supp. 9-2311 and 9-2313, and amendments thereto, and the requirements of K.S.A. 2021 Supp. 9-2302(c)(5) and (6), and amendments thereto.

(4) Notwithstanding the provisions of paragraphs (2) and (3):

(A) A bank or trust company whose application has been approved in accordance with this section or an out-of-state financial institution that engages in fidfin transactions in this state shall not be subject to the provisions of K.S.A. 2021 Supp. 9-2305, 9-2306 or 9-2308, and amendments thereto; and

(B) the commissioner shall not examine or require applications, reports or other filings from an out-of-state financial institution that is subject to oversight of such financial institution's fidfin transactions by a governmental agency of the jurisdiction that chartered the out-of-state financial institution.

(c) The state banking board shall not accept an application for a fiduciary financial institution unless the:

(1) Fiduciary financial institution is organized by at least one person;
(2) name selected for the fiduciary financial institution is different or substantially dissimilar from any other bank, trust company or fiduciary financial institution doing business in this state;

(3) fiduciary financial institutions' articles of organization contain the names and addresses of the fiduciary financial institution's members and the number of units subscribed by each. The articles of organization may contain such other provisions as are consistent with the Kansas revised limited liability company act, Kansas revised uniform limited partnership act or Kansas general corporation code;

(4) fiduciary financial institution has made, committed to make or caused to be made a qualified investment as defined in K.S.A. 2021 Supp. 9-2301, and amendments thereto;

(5) fiduciary financial institution has committed to structure any fidfin transactions to ensure that qualified charitable distributions, as defined in K.S.A. 2021 Supp. 79-32,274, and amendments thereto, are made each calendar year that the fiduciary financial institution conducts fidfin transactions; and

(6) fiduciary financial institution has consulted or agrees to consult with the department of commerce regarding the economic growth zones to be selected for purposes of paragraphs (4) and (5).

(d) The state banking board may deny the application if the state banking board makes an unfavorable determination with regard to the:

(1) Financial standing, general business experience and character of the organizers; or

(2) character, qualifications and experience of the officers of the proposed fiduciary financial institution.

(e) The state banking board shall not make membership in any federal government agency a condition precedent to the granting of the authority to do business.

(f) The state banking board may require fingerprinting of any officer, director, *or* organizer ~~or any other person~~ of the proposed fiduciary financial institution ~~related to the application deemed necessary by the state banking board~~. Such fingerprints may be submitted to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. The fingerprints shall be used to identify the person and to determine whether the person has a record of arrests and convictions in this state or other jurisdictions. The state banking board may use information obtained from fingerprinting and the criminal history for purposes of verifying the identification of the person and in the official determination of the qualifications and fitness of the persons associated with the applicant fiduciary financial institution to be issued a charter. Whenever the state banking board requires fingerprinting, any associated costs shall be paid by the applicant or the parties to the application.

(g) The state banking board or the commissioner shall notify a fiduciary financial institution of the approval or disapproval of an application. Any final action of the state banking board approving or disapproving an application shall be subject to review in accordance with the Kansas judicial review act.

(h) (1) In the event such application is approved, the fiduciary financial institution shall be issued a charter upon compliance with any requirements of this act and upon demonstrating to the satisfaction of the commissioner that an applicable distribution has been made. For purposes of this section, “applicable distribution” means a distribution of cash, beneficial interests or other assets having an aggregate value equal to the greater of:

(A) 2.5% of the aggregate financing balances to be held by the fiduciary financial institution immediately upon issuance of the fiduciary financial institution’s charter, as reflected in the fiduciary financial institution’s application filed pursuant to this section; or

(B) \$5,000,000 in accordance with subsection (i), except that if a fiduciary financial institution is chartered to provide only custodial services, the applicable distribution amount shall be \$500,000.

(2) If the amount provided in paragraph (1)(B) exceeds the amount provided in paragraph (1)(A), the fiduciary financial institution shall be entitled to a credit against the amount distributable under K.S.A. 2021 Supp. 9-2311~~(e)~~(f), and amendments thereto, in an amount equal to such excess.

(i) The applicable distribution required under subsection (h) shall be distributed as follows:

(1) (A) To the department of commerce:	
Applicable distribution amount	Percentage to department of commerce
\$0 to \$500,000	90%
\$500,001 to \$1,000,000	50%
Above \$1,000,000	10%

(B) the amounts specified in subparagraph (A) shall apply to fiduciary financial institutions chartered prior to January 1, 2023. For fiduciary financial institutions chartered after such date, the department of commerce may publish one or more schedules in the Kansas register as the department of commerce deems reasonably necessary to facilitate economic growth and development in one or more economic growth zones. No such schedule shall be effective until after its publication in the Kansas register. The department of commerce shall timely submit to the commissioner any schedule published under this section. The commissioner shall provide a copy of such schedule to any applicant for a fiduciary financial institution charter prior to the issuance of such charter. A fiduciary financial institution shall be subject to the schedule in existence on the date such fiduciary financial institution’s charter is issued and shall not be subject to any schedules published after such date;

(C) the department of commerce shall remit all distributions under this subsection to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the technology-enabled fiduciary financial institutions development and expansion fund established in K.S.A. 2021 Supp. 9-2324, and amendments thereto; and

(2) the balance of the applicable distribution required under subsection (h) shall be distributed to one or more qualified charities as defined in K.S.A. 2021 Supp. 79-32,274, and amendments thereto, as shall be se-

lected by the fiduciary financial institution. Nothing in this section shall preclude a distribution to one or more qualified charities in excess of the amounts provided in this section. An economic growth zone or qualified charity shall have no obligation to repay any distributions received under this act or to make any contributions to a fiduciary financial institution.

Sec. 3. K.S.A. 2021 Supp. 9-2303 is hereby amended to read as follows: 9-2303. (a) ~~Every fiduciary financial institution shall be assessed an initial fee of \$500,000 to be remitted concurrently with the issuance of such fiduciary financial institution's charter~~ *An application for a fiduciary financial institution charter shall include a nonrefundable fee to be remitted in a manner prescribed by the commissioner. Until July 1, 2025, the application fee shall be \$250,000. On and after July 1, 2025, the application fee shall be \$100,000.* The expense of every annual regular fiduciary financial institution examination, together with the expense of administering fiduciary financial institution laws, including salaries, travel expenses, third-party fees for consultants or other entities necessary to assist the commissioner, supplies and equipment, shall be paid by the fiduciary financial institutions of this state. Prior to the beginning of each fiscal year, the commissioner shall make an estimate of the ~~trust~~ *fiduciary financial institution* expenses to be incurred by the office of the state bank commissioner during such fiscal year in an amount not less than \$1,000,000. The commissioner shall allocate and assess each fiduciary financial institution in this state on the basis of such fiduciary financial institution's total fidfin transaction balances, consisting of the aggregate fidfin financing balances of the fiduciary financial institution reflected in the last December 31 report filed with the commissioner pursuant to K.S.A. 9-1704, and amendments thereto. If a fiduciary financial institution has no fidfin transaction balances, but such fiduciary financial institution is otherwise providing custodial services or trust services, the commissioner shall allocate and assess such fiduciary financial institution in a manner the commissioner deems reasonable and appropriate. A fiduciary financial institution that has no fidfin transaction balances and no alternative asset custody accounts reflected in the last December 31 report filed with the commissioner may be granted inactive status by the commissioner. The annual assessment shall not exceed \$10,000 for such an inactive fiduciary financial institution. The annual fee shall be first assessed for the year immediately following the year the fiduciary financial institution received a certificate of authority to engage in fidfin transactions, custodial services and trust business and for each year thereafter.

(b) (1) A statement of each assessment made under the provisions of subsection (a) shall be sent by the commissioner on ~~December~~ *July 1* or the next business day thereafter to each fiduciary financial institution. ~~The assessment may be collected by the commissioner as needed and in such~~

installment periods as the commissioner deems appropriate, but not more frequently than monthly. When the commissioner issues an invoice to collect the assessment, payment shall be due within 15 business days of the date of such invoice. The commissioner may impose a penalty upon any fiduciary financial institution that fails to pay its annual assessment when it is more than 15 business days past due. The penalty shall be assessed in the amount of \$50 for each day the assessment is past due. When the commissioner issues such a statement, payment shall be made within 15 business days after the date the statement was sent in a manner prescribed by the commissioner, which may include such installment periods as the commissioner deems appropriate but not more frequently than monthly.

(2) The commissioner shall remit all moneys received from such fees and assessments to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury and credit 75% of each remittance to the bank commissioner fee fund and 25% to the technology-enabled fiduciary financial institutions development and expansion fund established in K.S.A. 2021 Supp. 9-2324, and amendments thereto.

Sec. 4. K.S.A. 2021 Supp. 9-2304 is hereby amended to read as follows: 9-2304. (a) To the extent a conflict does not exist between this act and chapter 9 of the Kansas Statutes Annotated, and amendments thereto, *except as provided in subsections (b), (c) and (e)*, the provisions of chapter 9 of the Kansas Statutes Annotated, and amendments thereto, shall apply to a fiduciary financial institution in the same manner as it applies to a trust company except that references in chapter 9 of the *Kansas Statutes Annotated, and amendments thereto*, to:

- (1) “Capital stock” includes membership capital and partner capital;
- (2) “stock” includes membership units and partnership interests;
- (3) “common stock” includes common units and common interests;
- (4) “preferred stock” includes preferred units and preferred interests;
- (5) “stockholders” includes members and partners;
- (6) “articles of incorporation” includes articles of organization and articles of limited partnership;
- (7) “incorporation” includes organization;
- (8) “corporation” includes company and partnership;
- (9) “corporate” includes company and partnership;
- (10) “trust business” and “business of a trust company” includes fidfin and fiduciary financial institution business; and
- (11) K.S.A. 9-901a(a), and amendments thereto, means K.S.A. 2021 Supp. 9-2305, and amendments thereto.

(b) *For a Kansas-chartered state trust company that receives authority to engage in fidfin transactions under K.S.A. 2021 Supp. 9-2302(b),*

and amendments thereto, the provisions of subsection (a) shall not apply, however, references in chapter 9 of the Kansas Statutes Annotated, and amendments thereto, to “trust business” and “business of a trust company” include fidfin and fiduciary financial institution business.

(c) For a Kansas-chartered state bank that receives authority to engage in fidfin transactions under K.S.A. 2021 Supp. 9-2302(b), and amendments thereto, the provisions of subsection (a) shall not apply, however, the provisions of chapter 9 of the Kansas Statutes Annotated, and amendments thereto, shall apply in the same manner as they would apply to a trust department of such bank, except that references in chapter 9 of the Kansas Statutes Annotated, and amendments thereto, to “trust business” and “business of a trust company” include fidfin and fiduciary financial institution business.

(d) (1) Except as provided in paragraph (2), if any conflict exists between any provisions of chapter 9 of the Kansas Statutes Annotated, and amendments thereto, and this act, the provisions of this act shall control.

(2) If the fiduciary financial institution is a bank department or trust company that received authority to engage in fidfin transactions under K.S.A. 2021 Supp. 9-2302(b), and amendments thereto, the provisions of this act shall only control with regard to fidfin transactions as authorized under K.S.A. 2021 Supp. 9-2302(b), and amendments thereto.

(e) The provisions of this section shall not apply to an out-of-state financial institution.

Sec. 5. K.S.A. 2021 Supp. 9-2306 is hereby amended to read as follows: 9-2306. (a) The business of any fiduciary financial institution shall be managed and controlled by such fiduciary financial institution's board of directors.

(b) The board shall consist of not less than five nor more than 25 members who shall be elected by the members at any regular annual meeting to be held on the date specified in the fiduciary financial institution's ~~operating agreement or bylaws~~ *governing documents*. At least one director must be a resident of this state.

(c) If, for any reason, the meeting cannot be held on the date specified in the ~~operating agreement or bylaws~~ *governing documents*, the meeting shall be held on a subsequent day within 60 days of the day fixed, to be designated by the board of directors or, if the directors fail to fix the day, by the members representing $\frac{2}{3}$ of the membership units.

(d) In all cases, at least 10 days' notice of the date for the annual meeting shall be given to the members.

(e) The annual meeting of a fiduciary financial institution shall be held in this state. Any other meetings of the fiduciary financial institution's management or directors, including the meeting required pursuant to K.S.A. 9-1116, and amendments thereto, may be held in any location determined by the fiduciary financial institution's officers or directors.

(f) Any newly created directorship shall be approved and elected by the members in the manner provided in the fiduciary financial institution's organizational documents or, in the absence of such provisions, in the manner provided by the Kansas revised limited liability company act, Kansas revised uniform limited partnership act or Kansas general corporation code. A special meeting of the members may be convened at any time for such purpose.

(g) Any vacancy in the board of directors may be filled by the board of directors in the manner provided in the fiduciary financial institution's organizational documents or, in the absence of such provisions, in the manner provided by the Kansas revised limited liability company act, Kansas revised uniform limited partnership act or Kansas general corporation code.

(h) Within 15 days after the annual meeting, the president or cashier of each fiduciary financial institution shall submit to the commissioner a certified list of members and the number of units owned by each member. This list of members shall be kept and maintained in the fiduciary financial institution's main office and shall be subject to inspection by all members during the business hours of the fiduciary financial institution. The commissioner may require the list to be filed by electronic means.

(i) Each director shall take and subscribe an oath to administer the affairs of such fiduciary financial institution diligently and honestly and to not knowingly or willfully permit any of the laws relating to fiduciary financial institutions to be violated. A copy of each oath shall be retained by the fiduciary financial institution, in the fiduciary financial institution's records after the election of any officer or director, for review by the commissioner's staff during the next examination. The commissioner may require the oath to be filed by electronic means.

(j) Every fiduciary financial institution shall notify the commissioner of any change in the chief executive officer, president or directors, including in such fiduciary financial institution's report a statement of the past and current business and professional affiliations of the new chief executive officer, president or directors.

Sec. 6. K.S.A. 2021 Supp. 9-2307 is hereby amended to read as follows: 9-2307. (a) A fiduciary financial institution shall make a report to the commissioner pursuant to the provisions of K.S.A. 9-1704, and amendments thereto. In making such a report, a fiduciary financial institution shall:

(1) Report the fiduciary financial institution's fidfin transactions pursuant to generally accepted accounting principles; and

(2) calculate such fiduciary financial institution's capital solvency by including the value of all tangible and intangible assets owned by the fiduciary financial institution, regardless of use.

(b) ~~In evaluating the safety and soundness of~~ *examining* a fiduciary financial institution, the state banking board and the commissioner shall:

(1) Consider that the collateral or underlying assets associated with fidfin transactions are volatile in nature and that such volatility has been accepted by the members and customers of the fiduciary financial institution;

(2) respect the form, treatment and character of fidfin transactions under the laws of this state notwithstanding the treatment or characterization of such transactions under generally accepted accounting principles or for tax purposes;

(3) ~~evaluate the soundness of a fiduciary financial institution based on~~ whether available capital, including the agreement of ~~the~~ *a* fiduciary financial institution's members to contribute capital pursuant to K.S.A. 2021 Supp. 9-2305, and amendments thereto, exceeds the fiduciary financial institution's obligations, determined in accordance with generally accepted accounting principles; ~~and~~

(4) ~~evaluate the safety of a fiduciary financial institution based on the background and qualifications of such a fiduciary financial institution's executive officers and directors and, the internal controls and audit processes enacted by the fiduciary financial institution to ensure and~~ adherence to its policies and procedures;

(5) *evaluate the profitability of a fiduciary financial institution in accordance with subsection (c);*

(6) *evaluate a fiduciary financial institution's compliance with applicable state and federal laws; and*

(7) *evaluate a fiduciary financial institution's information technology systems, policies and practices.*

(c) Profitability ~~shall not be a consideration in evaluating the safety and soundness of~~ *not be a consideration in evaluating* a fiduciary financial institution if sufficient capital and equity exist in the business, including, without limitation, membership capital, surplus, undivided profits and commitments by members to contribute additional capital to the fiduciary financial institution pursuant to K.S.A. 2021 Supp. 9-2305, and amendments thereto, to satisfy the fiduciary financial institution's obligations.

Sec. 7. K.S.A. 2021 Supp. 9-2310 is hereby amended to read as follows: 9-2310. ~~(a)~~ Any fiduciary financial institution is hereby authorized to exercise by its board of directors or duly authorized officers or agents, subject to law, the following powers:

~~(1)~~ *(a)* To engage in fidfin transactions in accordance with K.S.A. 2021 Supp. 9-2311, and amendments thereto;

~~(2)~~ *(b)* to receive, retain and manage alternative asset custody accounts in accordance with K.S.A. 2021 Supp. 9-2313, and amendments thereto; and

~~(3)(c)~~ to engage in trust business as defined in K.S.A. 9-701, and amendments thereto, *as incidental to the activities in subsections (a) and (b)*.

Sec. 8. K.S.A. 2021 Supp. 9-2311 is hereby amended to read as follows: 9-2311. (a) If authorized by the terms of an instrument as such term is defined in K.S.A. 2021 Supp. 9-2301, and amendments thereto, a fiduciary financial institution may:

(1) Extend financing ~~or, such as through loans or~~ extensions of credit to a fidfin trust when:

(A) The fiduciary financial institution serves as trustee of the borrowing fidfin trust;

(B) the financing is collateralized or supported by the assets of such fidfin trust;

(C) the financing is nonrecourse as to the fiduciary financial institution's customer and is not otherwise guaranteed by such customer;

(D) the fiduciary financial institution agrees, in the applicable financing agreement or other written document, that the fiduciary financial institution is providing financing in a fiduciary capacity;

(E) the fiduciary financial institution agrees that such fiduciary financial institution will manage the collateral or assets underlying the financing in a fiduciary capacity; and

(2) acquire or invest in an alternative asset on behalf of and through a fidfin trust.

(b) The financing of a fidfin trust pursuant to subsection (a)(1) and (a)(2) shall be considered a fiduciary finance or fidfin transaction.

(c) If authorized or directed by the terms of an instrument, no fiduciary financial institution shall be deemed to have a conflict of interest, to have violated a duty to a fidfin trust or the beneficiaries thereof or to have engaged in self-dealing by entering into a fidfin transaction.

(d) The combination rules of K.S.A. 9-1104(f), and amendments thereto, shall be inapplicable to a fiduciary financial institution's fidfin transactions regardless of the identity of the fidfin trust beneficiary if:

(1) The borrower is a fidfin trust; and

(2) the fiduciary financial institution serves as trustee of the borrowing fidfin trust.

(e) A fiduciary financial institution that engages in a fidfin transaction shall be a fiduciary. Subject to the duties and standards of utmost care and loyalty that are associated with serving as a fiduciary, a fiduciary financial institution shall be deemed to be exercising fiduciary powers. All income generated by such fidfin transactions, including interest and investment income, shall be deemed to be income derived from the exercise of such fiduciary powers.

(f) A fiduciary financial institution that engages in fidfin transactions shall distribute, cause to be distributed or otherwise facilitate the distri-

bution of the required distribution amount as provided by this section. For purposes of this section, “required distribution amount” means cash, beneficial interests or other assets with a value equal to 2.5% of such fiduciary financial institution’s fidfin transactions originated during the calendar year. Such transactions shall exclude any renewals, extensions of credit or accruals associated with transactions made in a prior calendar year, less any credit available to such fiduciary financial institution pursuant to K.S.A. 2021 Supp. 9-2302, and amendments thereto. The required distribution amount shall be distributed as follows:

(1) (A) To the department of commerce:

Required distribution amount	Percentage to department of commerce
\$0 to \$500,000	90%
\$500,001 to \$1,000,000	50%
Above \$1,000,000	10%

(B) the amounts specified in subparagraph (A) shall apply to fiduciary financial institutions chartered prior to January 1, 2023. For fiduciary financial institutions chartered after such date, the department of commerce may publish one or more schedules in the Kansas register as the department of commerce deems reasonably necessary to facilitate economic growth and development in one or more economic growth zones. No such schedule shall be effective until after its publication in the Kansas register. The department of commerce shall timely submit any schedule published under this section to the commissioner. The commissioner shall provide a copy of such schedule to any applicant for a fiduciary financial institution charter prior to the issuance of such charter. A fiduciary financial institution shall be subject to the schedule in existence on the date such fiduciary financial institution’s charter is issued and shall not be subject to any schedules published after such date;

(C) the department of commerce shall remit all distributions under this subsection to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the technology-enabled fiduciary financial institutions development and expansion fund established in K.S.A. 2021 Supp. 9-2324, and amendments thereto; and

(2) the balance of the required distribution amount shall be distributed to one or more qualified charities as defined in K.S.A. 2021 Supp. 79-32,274, and amendments thereto, as shall be selected by the fiduciary financial institution. An economic growth zone or qualified charity shall have no obligation to repay any distributions received under this act or to make any contributions to a fiduciary financial institution.

(g) The form, treatment and character of fidfin transactions under the laws of this state shall be respected for all purposes of this act not-

withstanding the treatment or characterization of such transactions under generally accepted accounting principles or for tax purposes.

(h) *A fiduciary financial institution shall disclose to a customer the information required by rules and regulations adopted by the commissioner pursuant to K.S.A. 2021 Supp. 9-2322, and amendments thereto, to ensure that the customer is informed regarding the nature of the customer's transactions with the fiduciary financial institution, taking into account the level of sophistication of the customer.*

Sec. 9. K.S.A. 2021 Supp. 9-2312 is hereby amended to read as follows: 9-2312. (a) Subject to the requirements of K.S.A. 2021 Supp. 9-2309(d), and amendments thereto, a fiduciary financial institution may:

(1) Employ attorneys, accountants, investment advisors, agents or other persons, even if they are affiliated or associated with the fiduciary financial institution, to advise or assist the fiduciary financial institution in the performance of such fiduciary financial institution's fidfin transactions, custodial services and trust business and act without independent investigation upon such recommendations;

(2) employ one or more agents to perform any act of fidfin transactions, custodial services or trust business;

(3) license internet-related services, including web services, software, mobile applications, technology-enabled platforms and processes to or from affiliates, third parties, other fiduciary financial institutions and their affiliates;

(4) license fidfin products and forms, as defined in K.S.A. 2021 Supp. 9-2321, and amendments thereto, to or from other fiduciary financial institutions and their affiliates;

(5) perform any services that a fiduciary financial institution is authorized to perform under the laws of this state on behalf of another fiduciary financial institution; and

(6) employ another fiduciary financial institution to perform any services that a fiduciary financial institution is authorized to perform under the laws of this state.

(b) A party engaged by a fiduciary financial institution pursuant to subsection (a) shall not be deemed to have engaged in fidfin transactions, custodial services or trust business in this state nor shall such party be deemed a trust service office of the fiduciary financial institution under K.S.A. 9-2108, and amendments thereto, or a trust facility or out-of-state facility under K.S.A. 9-2111, and amendments thereto, by reason of providing services to a fiduciary financial institution or licensing products, platforms, systems or processes to such fiduciary financial institution.

(c) A fiduciary financial institution that provides services or licenses fidfin products or forms pursuant to subsection (a) shall not be deemed a

trust service office of the fiduciary financial institution that has acquired such services or licensed such products or forms.

(d) If a fiduciary financial institution offers its technology-enabled platform to provide fidfin services to residents of other states, neither the marketing, use and deployment of such platform by parties in other states nor the origination of fidfin services through such platform shall constitute an out-of-state trust facility under K.S.A. 9-2111, and amendments thereto, if the fiduciary financial institution complies with the provisions of K.S.A. 2021 Supp. 9-2309, and amendments thereto.

(e) A fiduciary financial institution shall provide notice to the commissioner pursuant to the provisions of K.S.A. 9-2103(a)(12), and amendments thereto, if such fiduciary financial institution engages a party pursuant to the provisions of subsection (a).

(f) *Whenever a fiduciary financial institution causes to be performed for such fiduciary financial institution, by contract or otherwise, any service authorized under this act or the state banking code, such performance shall be subject to regulation and examination by the commissioner to the same extent as if such service was being performed by the fiduciary financial institution itself.*

Sec. 10. K.S.A. 2021 Supp. 9-2317 is hereby amended to read as follows: 9-2317. (a) If an entity is appointed as a trust advisor, the provisions of article 8 of chapter 9 of the Kansas Statutes Annotated, and amendments thereto, shall not apply to such entity, if the entity:

- (1) Is established for the exclusive purpose of acting as a trust advisor;
- (2) is acting in such capacity under an instrument that names a fiduciary financial institution as trustee or custodian;
- (3) is not engaged in trust business with the general public as a public trust company or with any family as a private trust company;
- (4) does not hold itself out as being in the business of acting as a fiduciary for hire as either a public or private trust company; and
- (5) agrees to be subject to examination by the office of the state bank commissioner at the discretion of the commissioner.

(b) The governing documents of any such entity shall limit such entity's authorized activities to those of a trust advisor and shall further limit the performance of such functions to only fidfin trusts and alternative asset custody accounts. An entity complying with this section shall notify the ~~director~~ *commissioner in writing* of its existence and capacity to act *within 30 days of the establishment of such capacity*.

Sec. 11. K.S.A. 2021 Supp. 9-2318 is hereby amended to read as follows: 9-2318. An instrument may relieve and indemnify a trust advisor and a fiduciary financial institution that serves as trustee of a fidfin trust or alternative asset custody account from liability for a breach of fiduciary duty ~~if any~~. Any such provision is unenforceable to the extent that it re-

lieves the trust advisor or fiduciary financial institution from liability for a breach of fiduciary duty committed:

- (a) In bad faith;
- (b) intentionally; or
- (c) with reckless indifference to the interest of a beneficiary.

Sec. 12. K.S.A. 39-1401 is hereby amended to read as follows: 39-1401. As used in this act:

- (a) “Resident” means:
 - (1) Any resident, as defined by K.S.A. 39-923, and amendments thereto; or
 - (2) any individual kept, cared for, treated, boarded or otherwise accommodated in a medical care facility; or
 - (3) any individual, kept, cared for, treated, boarded or otherwise accommodated in a state psychiatric hospital or state institution for people with intellectual disability.
- (b) “Adult care home” ~~has the meaning ascribed thereto~~ *means the same as defined in K.S.A. 39-923, and amendments thereto.*
- (c) “In need of protective services” means that a resident is unable to perform or obtain services which are necessary to maintain physical or mental health, or both.
- (d) “Services which are necessary to maintain physical and mental health” include, but are not limited to, the provision of medical care for physical and mental health needs, the relocation of a resident to a facility or institution able to offer such care, assistance in personal hygiene, food, clothing, adequately heated and ventilated shelter, protection from health and safety hazards, protection from maltreatment the result of which includes, but is not limited to, malnutrition, deprivation of necessities or physical punishment and transportation necessary to secure any of the above stated needs, except that this term shall not include taking such person into custody without consent, except as provided in this act.
- (e) “Protective services” means services provided by the state or other governmental agency or any private organizations or individuals which are necessary to prevent abuse, neglect or exploitation. Such protective services shall include, but not be limited to, evaluation of the need for services, assistance in obtaining appropriate social services and assistance in securing medical and legal services.
- (f) “Abuse” means any act or failure to act performed intentionally or recklessly that causes or is likely to cause harm to a resident, including:
 - (1) Infliction of physical or mental injury;
 - (2) any sexual act with a resident when the resident does not consent or when the other person knows or should know that the resident is incapable of resisting or declining consent to the sexual act due to mental deficiency or disease or due to fear of retribution or hardship;

(3) unreasonable use of a physical restraint, isolation or medication that harms or is likely to harm a resident;

(4) unreasonable use of a physical or chemical restraint, medication or isolation as punishment, for convenience, in conflict with a physician's orders or as a substitute for treatment, except where such conduct or physical restraint is in furtherance of the health and safety of the resident or another resident;

(5) a threat or menacing conduct directed toward a resident that results or might reasonably be expected to result in fear or emotional or mental distress to a resident;

(6) fiduciary abuse; or

(7) omission or deprivation by a caretaker or another person of goods or services which are necessary to avoid physical or mental harm or illness.

(g) "Neglect" means the failure or omission by one's self, caretaker or another person with a duty to provide goods or services which are reasonably necessary to ensure safety and well-being and to avoid physical or mental harm or illness.

(h) "Caretaker" means a person or institution who has assumed the responsibility, whether legally or not, for the care of the resident voluntarily, by contract or by order of a court of competent jurisdiction.

(i) "Exploitation" means misappropriation of resident property or intentionally taking unfair advantage of an adult's physical or financial resources for another individual's personal or financial advantage by the use of undue influence, coercion, harassment, duress, deception, false representation or false pretense by a caretaker or another person.

(j) "Medical care facility" means a facility licensed under K.S.A. 65-425 et seq., and amendments thereto, but shall not include, for purposes of this act, a state psychiatric hospital or state institution for people with intellectual disability, including Larned state hospital, Osawatomie state hospital and Rainbow mental health facility, Kansas neurological institute and Parsons state hospital and training center.

(k) "Fiduciary abuse" means a situation in which any person who is the caretaker of, or who stands in a position of trust to, a resident, takes, secretes, or appropriates the resident's money or property, to any use or purpose not in the due and lawful execution of such person's trust.

(l) "State psychiatric hospital" means Larned state hospital, Osawatomie state hospital and Rainbow mental health facility.

(m) "State institution for people with intellectual disability" means Kansas neurological institute and Parsons state hospital and training center.

(n) "Report" means a description or accounting of an incident or incidents of abuse, neglect or exploitation under this act and for the purposes of this act shall not include any written assessment or findings.

(o) “Law enforcement” means the public office which is vested by law with the duty to maintain public order, make arrests for crimes and investigate criminal acts, whether that duty extends to all crimes or is limited to specific crimes.

(p) “Legal representative” means an agent designated in a durable power of attorney, power of attorney or durable power of attorney for health care decisions or a court appointed guardian, conservator or trustee.

(q) “Financial institution” means any bank, trust company, escrow company, finance company, saving institution~~or~~, credit union *or fiduciary financial institution*, chartered and supervised under state or federal law.

(r) “Governmental assistance provider” means an agency, or employee of such agency, which is funded solely or in part to provide assistance within the Kansas senior care act, K.S.A. 75-5926 et seq., and amendments thereto, including medicaid and medicare.

No person shall be considered to be abused, neglected or exploited or in need of protective services for the sole reason that such person relies upon spiritual means through prayer alone for treatment in accordance with the tenets and practices of a recognized church or religious denomination in lieu of medical treatment.

Sec. 13. K.S.A. 39-1401 and K.S.A. 2021 Supp. 9-2301, 9-2302, 9-2303, 9-2304, 9-2306, 9-2307, 9-2310, 9-2311, 9-2312, 9-2317 and 9-2318 are hereby repealed.

Sec. 14. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 13, 2022.

CHAPTER 56

HOUSE BILL No. 2478*

AN ACT concerning roads and highways; designating a portion of United States highway 166 as the SGT Evan S Parker memorial highway; designating a portion of U.S. highway 56 as the PFC Shane Austin memorial highway; designating a portion of United States highway 69 as the Senator Tom R Van Sickle memorial highway; designating a certain bridge on K-126 as the Dennis Crain memorial bridge; designating a portion of United States highway 69 as the AMM2c Walter Scott Brown memorial highway; designating bridges on K-66 highway as veterans memorial bridge.

WHEREAS, Sergeant Evan S. Parker was born at Wesley Medical Center in Wichita, Kansas, on May 1, 1980; and

WHEREAS, Sergeant Parker attended South Haven USD 509 public schools from kindergarten through high school and graduated as a South Haven Cardinal in 1998; and

WHEREAS, Sergeant Parker attended Cowley County Community College in Arkansas City, Kansas; and

WHEREAS, Sergeant Parker joined the United States Army from Arkansas City, Kansas, and went to basic training at Fort Leonard Wood in Missouri; and

WHEREAS, Sergeant Parker graduated basic training with Delta Company 3rd Battalion 10th Infantry and his first assignment was at Fort Sill in Oklahoma as a Fire Support Specialist; and

WHEREAS, Sergeant Parker was then assigned a permanent duty station at Schofield Barracks in Honolulu, Hawaii, as part of the proud 100th Battalion, 442nd Infantry and 29th Brigade Combat Team, whose motto is “GO FOR BROKE”; and

WHEREAS, Sergeant Parker was deployed to Iraq in October 2004 to Operation Iraqi Freedom; and

WHEREAS, Sergeant Parker was awarded his first Purple Heart in May 2005 for head trauma caused by a roadside IED attack; and

WHEREAS, Sergeant Parker was promoted to Sergeant in July 2005; and

WHEREAS, Sergeant Parker was two weeks away from finishing his 11-month deployment when he again suffered head trauma from another roadside IED attack on October 23, 2005, and was flown to Landstuhl Army Medical Center in Germany and removed from life support on October 26, 2005, surrounded by his family; and

WHEREAS, Sergeant Parker received the Bronze Star, second merit, the Purple Heart and the Good Conduct Medal presented by two of his commanders; and

WHEREAS, Sergeant Parker received the Hawaii Medal of Honor in 2006; and

WHEREAS, Sergeant Parker was honored by the Fort Shafter Flats

Army Reserve 25th Infantry Division in Honolulu, Hawaii, when they dedicated the “Sgt. Evan S. Parker Pavilion” in 2008; and

WHEREAS, Sergeant Parker is listed honorably in the 100th Battalion, 442nd Infantry “GO FOR BROKE” Hall of Fame in Honolulu, Hawaii; and

WHEREAS, Sergeant Parker was highly decorated in the United States Army throughout his military career as a Fire Support Specialist, is defined as a hero and sacrificed his life to protect our freedom and the principles of democracy.

Now, therefore:

Be it enacted by the Legislature of the State of Kansas:

Section 1. The portion of United States highway 166 from the junction of United States highway 166 with United States highway 81 in Sumner county then east to the western city limits of Arkansas City, Kansas, in Cowley county is hereby designated as the SGT Evan S Parker memorial highway. Upon compliance with K.S.A. 68-10,114, and amendments thereto, the secretary of transportation shall place suitable signs to indicate that the highway is the SGT Evan S Parker memorial highway.

Sec. 2. The portion of United States highway 56 from the northeastern city limits of Edgerton in Johnson county, then northeast to the southwestern city limits of Gardner in Johnson county is hereby designated as the PFC Shane Austin memorial highway. Upon compliance with K.S.A. 68-10,114, and amendments thereto, the secretary of transportation shall place suitable signs to indicate that the highway is the PFC Shane Austin memorial highway.

Sec. 3. The portion of United States highway 69 from the northern junction of United States highway 69 and United States highway 54 in Bourbon county, then north on United States highway 69 to the Linn county line is hereby designated as the Senator Tom R Van Sickle memorial highway. Upon compliance with K.S.A. 68-10,114, and amendments thereto, the secretary of transportation shall place suitable signs to indicate that the highway is the Senator Tom R Van Sickle memorial highway.

Sec. 4. Bridge No. 19-0115 located between the intersections with K-126 and north grand street and K-126 and north rouse street in the city of Pittsburg in Crawford county is hereby designated as the Dennis Crain memorial bridge. Upon compliance with K.S.A. 68-10,114, and amendments thereto, the secretary of transportation shall place suitable signs to indicate that the bridge is the Dennis Crain memorial bridge.

Sec. 5. The portion of United States highway 69 from the northern junction of United States highway 69 and K-52 highway in Linn county, then south on United States highway 69 to the southern junction of United States highway 69 and K-52 highway is hereby designated as the

AMM2c Walter Scott Brown memorial highway. Upon compliance with K.S.A. 68-10,114, and amendments thereto, the secretary of transportation shall place suitable signs to indicate that the highway is the AMM2c Walter Scott Brown memorial highway.

Sec. 6. Bridge no. 0011-B0072 located on K-66 highway in Cherokee county and bridge no. 0011-B0005 located on K-66 highway in Cherokee county are each hereby designated as the veterans memorial bridge. Upon compliance with K.S.A. 68-10,114, and amendments thereto, the secretary of transportation shall place suitable signs to indicate that each bridge is the veterans memorial bridge.

Sec. 7. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 13, 2022.

CHAPTER 57

HOUSE BILL No. 2476

AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the silver star medal, bronze star medal, city of Hutchinson and daughters of the American revolution distinctive license plates; providing for four distinctive license plates for the Kansas department of wildlife and parks; allowing the printing of the international symbol of access for disabled veteran distinctive license plates and certain parking privileges for disabled veterans who meet certain physical disability definitions; allowing veteran distinctive license plate applicants to provide a DD214 form, DD form 2 (Retired) or a Kansas veteran driver's license as proof of veteran status; amending K.S.A. 32-901 and K.S.A. 2021 Supp. 8-161, 8-1,141, 8-1,146 and 8-1,147 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. (a) On and after January 1, 2023, any owner or lessee of one or more passenger vehicles, trucks of a gross weight of 20,000 pounds or less or motorcycles who is a resident of Kansas and submits satisfactory proof to the director of vehicles, in accordance with rules and regulations adopted by the secretary of revenue, that such person was awarded a silver star medal by the United States government may be issued one distinctive license plate for each such passenger vehicle, truck or motorcycle designating such person as a silver star medal recipient. Such license plate shall be issued for the same period of time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto.

(b) Any silver star medal recipient may make application for such distinctive license plate, not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles. Any applicant for the distinctive license plate shall furnish the director with proof as the director shall require that the applicant was a silver star medal recipient. Application for the registration of a passenger vehicle, truck or motorcycle and the issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(c) No registration or distinctive license plate issued under the authority of this section shall be transferable to any other person.

(d) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in K.S.A. 8-143, and amendments thereto, and in the manner prescribed in K.S.A. 8-132(b), and amendments thereto. No renewal of registration shall be made to any applicant until such applicant has filed with the director a form as provided in subsection (b). If such form is not filed, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the distinctive license plate to the county treasurer of such person's residence.

New Sec. 2. (a) On and after January 1, 2023, any owner or lessee of one or more passenger vehicles, trucks of a gross weight of 20,000 pounds or less or motorcycles who is a resident of Kansas and submits satisfactory proof to the director of vehicles, in accordance with rules and regulations adopted by the secretary of revenue, that such person was awarded a bronze star medal by the United States government may be issued one distinctive license plate for each such passenger vehicle, truck or motorcycle designating such person as a bronze star medal recipient. Such license plate shall be issued for the same period of time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto.

(b) Any person who is a bronze star medal recipient may make application for such distinctive license plate, not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles. Any applicant for the distinctive license plate shall furnish the director with proof as the director shall require that the applicant was a bronze star medal recipient. Application for the registration of a passenger vehicle, truck or motorcycle and the issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(c) No registration or distinctive license plate issued under the authority of this section shall be transferable to any other person.

(d) Renewals of registration under this section shall be made annually upon payment of the fee prescribed in K.S.A. 8-143, and amendments thereto, and in the manner prescribed in K.S.A. 8-132(b), and amendments thereto. No renewal of registration shall be made to any applicant until such applicant has filed with the director a form as provided in subsection (b). If such form is not filed, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the distinctive license plate to the county treasurer of such person's residence.

New Sec. 3. (a) On and after January 1, 2023, any owner or lessee of one or more passenger vehicles, motorcycles or trucks registered for a gross weight of 20,000 pounds or less, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued a Kansas department of wildlife and parks license plate established pursuant to this section for each such passenger vehicle, motorcycle or truck. Such license plate shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and the payment to the county treasurer of the wildlife and parks license plate royalty payment established pursuant to this section.

(b) Any applicant or renewal for a Kansas department of wildlife and parks license plate authorized by this section shall make an annual payment of a wildlife and parks license plate royalty payment of an amount determined by the secretary of the Kansas department of wildlife and parks of not less than \$40 nor more than \$100. Payment of such wildlife and parks license plate royalty payment shall be made to the county treasurer for each such license plate to be issued.

(c) Subject to the approval of the director of vehicles, the Kansas department of wildlife and parks is authorized to establish four new distinctive license plates. Each such plate shall be subject to the provisions of K.S.A. 8-1,141, and amendments thereto. The plates are intended to depict and promote the following:

- (1) State parks;
- (2) hunting;
- (3) fishing; and
- (4) nongame wildlife.

(d) Any person may make an application for a license plate authorized by this section not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plate shall pay to the county treasurer the wildlife and parks license plate royalty payment. Application for registration of a passenger vehicle, motorcycle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(e) No registration or license plate issued under this section shall be transferable to any other person.

(f) The director of vehicles may transfer a Kansas department of wildlife and parks license plate from a leased vehicle to a purchased vehicle.

(g) Renewals of registration under this section shall be made annually, upon payment of the regular license fee prescribed in subsection (a), in the manner prescribed in K.S.A. 8-132(b), and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides to the county treasurer the payment of the wildlife and parks license plate royalty payment. If such annual wildlife and parks license plate royalty payment is not made to the county treasurer, the applicant shall be required to comply with the provisions of K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

(h) As a condition of receiving the Kansas department of wildlife and parks license plate and any subsequent registration renewal of such license plate, the applicant shall consent to the division authorizing the division's release of motor vehicle record information, including the ap-

plicant's name, address, royalty payment amount, plate number and vehicle type, to the Kansas department of wildlife and parks and the state treasurer.

(i) Annual wildlife and parks license plate royalty payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury. Of each deposit, amounts shall be credited as follows:

(1) For license plates issued pursuant to subsection (c)(1), the entire annual wildlife and parks license plate royalty payment shall be credited to the parks fee fund created by K.S.A. 32-991, and amendments thereto; and

(2) for license plates issued pursuant to subsections (c)(2), (3) and (4):

(A) An amount equal to the current cost of an annual park and recreation motor vehicle permit that is established according to K.S.A. 8-134, and amendments thereto, shall be credited to the parks fee fund created by K.S.A. 32-991, and amendments thereto; and

(B) the balance remaining after crediting pursuant to subparagraph (A) shall be credited to the wildlife fee fund created by K.S.A. 32-990, and amendments thereto.

New Sec. 4. (a) On and after January 1, 2023, any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one city of Hutchinson license plate for each such passenger vehicle or truck. Such license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and either the payment to the county treasurer of the logo use royalty payment or the presentation of the annual logo use authorization statement provided for in subsection (b).

(b) The city of Hutchinson may authorize the use of its flag image as its logo to be affixed on license plates as provided by this section. Any royalty payment received pursuant to this section shall be used to support the Hutch rec foundation and park development in Hutchinson. Any motor vehicle owner or lessee may apply annually to the city of Hutchinson for use of such logo. Such owner or lessee shall pay an amount of not less than \$25 nor more than \$100 to the city of Hutchinson as a logo use royalty payment for each such license plate to be issued. The logo use royalty payment shall be paid to either:

(1) The city of Hutchinson, who shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement that shall be presented by the motor vehicle owner or lessee at the time of registration; or

(2) the county treasurer.

(c) Any applicant for a license plate authorized by this section may make application for such license plate, not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles. Any applicant for such license plate shall either provide the annual logo use authorization statement provided for in subsection (b) or pay to the county treasurer the logo use royalty payment. Application for registration of a passenger vehicle or truck and the issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(d) No registration or license plate issued under this section shall be transferable to any other person.

(e) The director of vehicles may transfer a city of Hutchinson license plate from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in K.S.A. 8-143, and amendments thereto, and in the manner prescribed in K.S.A. 8-132(b), and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides to the county treasurer either the annual logo use authorization statement provided for in subsection (b) or the payment of the annual royalty payment. If such statement is not presented at the time of registration or sent by the city of Hutchinson, or the annual royalty payment is not made to the county treasurer, the applicant shall be required to comply with the provisions of K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

(g) The city of Hutchinson shall provide to all county treasurers an electronic mail address where applicants can contact the city of Hutchinson for information concerning the application process or the status of such applicant's license plate application.

(h) The city of Hutchinson, with the approval of the director of vehicles, shall design a plate to be issued under the provisions of this section.

(i) As a condition of receiving the city of Hutchinson license plate and any subsequent registration renewal of such license plate, the applicant shall consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, royalty payment amount, plate number and vehicle type to the city of Hutchinson and the state treasurer.

(j) The collection and remittance of annual royalty payments by the county treasurer shall be subject to the provisions of K.S.A. 8-1,141(h), and amendments thereto, except that payments from the city of Hutchinson royalty fund shall be made on a monthly basis to the appropriate des-

ignee of the Hutch rec foundation. A change of the city's designee shall occur only by mutual agreement of the city of Hutchinson and the Hutch rec foundation.

New Sec. 5. (a) On and after January 1, 2023, any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one daughters of the American revolution license plate for each such passenger vehicle or truck. Such license plate shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and either the payment to the county treasurer of the logo use royalty payment or the presentation of the annual logo use authorization statement provided for in subsection (b).

(b) The daughters of the American revolution may authorize the use of the organization's logo to be affixed on license plates as provided by this section. Any motor vehicle owner or lessee may apply annually to the daughters of the American revolution for use of such logo. Such owner or lessee shall pay an amount of not less than \$25 nor more than \$100 to the daughters of the American revolution as a logo use royalty payment for each such license plate to be issued. The logo use royalty payment shall be paid to either:

(1) The daughters of the American revolution, which shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement that shall be presented by the motor vehicle owner or lessee at the time of registration; or

(2) the county treasurer.

(c) Any applicant for a license plate authorized by this section may make application for such license plate not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plate shall either provide the annual logo use authorization statement provided for in subsection (b) or pay to the county treasurer the logo use royalty payment. Application for registration of a passenger vehicle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(d) No registration or license plate issued under this section shall be transferable to any other person.

(e) The director of vehicles may transfer a daughters of the American revolution license plate from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in K.S.A. 8-143, and amendments thereto, and in the manner prescribed in K.S.A. 8-132(b), and amend-

ments thereto. No renewal of registration shall be made to any applicant until such applicant provides to the county treasurer either the annual logo use authorization statement provided for in subsection (b) or the payment of the annual royalty payment. If such statement is not presented at the time of registration or sent by the daughters of the American revolution, or the annual royalty payment is not made to the county treasurer, the applicant shall be required to comply with the provisions of K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

(g) The daughters of the American revolution shall provide to all county treasurers an electronic mail address where applicants can contact the daughters of the American revolution for information concerning the application process or the status of such applicant's license plate application.

(h) The daughters of the American revolution, with the approval of the director of vehicles, shall design a plate to be issued under the provisions of this section.

(i) As a condition of receiving the daughters of the American revolution license plate and any subsequent registration renewal of such license plate, the applicant shall consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, royalty payment amount, plate number and vehicle type to the daughters of the American revolution and the state treasurer.

(j) The collection and remittance of annual royalty payments by the county treasurer shall be subject to the provisions of K.S.A. 8-1,141(h), and amendments thereto.

Sec. 6. K.S.A. 2021 Supp. 8-161 is hereby amended to read as follows: 8-161. (a) Any disabled veteran as defined in K.S.A. 8-160, and amendments thereto, who resides in Kansas and who makes application to the director of vehicles on a form furnished by the director for registration of a motor vehicle that is a passenger vehicle, a truck with a gross weight of not more than 20,000 pounds, or a motorcycle and is owned or leased and used by such veteran may have such motor vehicle registered, and the director shall issue a distinctive license plate for it. Such license plate shall be issued for the same period of time as other license plates are issued. Such registration shall be made and such license plates issued free of charge to the disabled veteran. The director of vehicles shall also issue to the disabled veteran an individual identification card which must be carried by the disabled veteran when the motor vehicle being operated by the disabled veteran or used for the transportation of such disabled veteran is parked in a designated accessible parking space. *Such distinctive license plate shall not be printed with the international symbol of access to the physically disabled unless the disabled veteran meets the definition of a person with a disability as defined in K.S.A. 8-1,124, and amendments thereto.*

(b) Any Kansas resident who owns or leases a motor vehicle and who is responsible for the transportation of a disabled veteran or any resident disabled veteran desiring a distinctive license plate for a vehicle other than a motor vehicle owned or leased by the veteran may make application to the director of vehicles for such a license plate. Such license plate shall be issued for the same period of time as other license plates are issued. There shall be no fee for such license plates in addition to the regular registration fee. *Such license plates shall not be printed with the international symbol of access to the physically disabled unless the applicant is responsible for the transportation of the disabled veteran who meets the definition of a person with a disability as defined in K.S.A. 8-1,124, and amendments thereto.*

(c) (1) The director of vehicles shall design a special license plate to be issued as provided in this act. No registration or license plates issued under this act shall be transferable to any other person. No registration under this act shall be made until the applicant has filed with the director acceptable proof that the applicant is a disabled veteran as defined by K.S.A. 8-160, and amendments thereto, or is responsible for the transportation of such veteran. *Any applicant who requests the international symbol of access to be printed on the applicant's distinctive license plate shall provide the director with acceptable proof that the applicant meets the definition of a person with a disability as defined in K.S.A. 8-1,124, and amendments thereto.*

(2) Motor vehicles displaying the distinctive license plates ~~provided for in this act with the international symbol of access displayed on such license plates~~ shall be permitted to:

(A) Park in any parking space on public or private property which is clearly marked as being reserved for the use of persons with a disability or persons responsible for the transportation of a person with a disability, except a parking space on private property which is clearly marked as being reserved for the use of a specified person with a disability;

(B) park without charge in any metered zone ~~and~~. *Such motor vehicle* shall be exempt from any time limitation imposed on parking in any zone designated for parking; during the hours in which parking is permitted in any city; or

(C) park without charge in any parking space in a public parking facility or public parking lot if such parking space is clearly marked as being reserved for the use of persons with a disability or persons responsible for the transportation of a person with a disability and such public parking facility or public parking lot employs persons who are parking attendants ~~to and who~~ collect payment. Any parking occurring under the provisions of this subparagraph shall also comply with all regulations and restrictions posted at the entrance of the public parking facility or public parking lot ~~by its~~ *the management thereof.*

(3) *Motor vehicles displaying the distinctive license plates without the international symbol of access on such license plates shall be permitted to:*

(A) *Park without charge in any metered zone. Such motor vehicle shall be exempt from any time limitation imposed on parking in any zone designated for parking during the hours in which parking is permitted in any city; or*

(B) *park without charge in any parking space in a public parking facility or public parking lot if such parking space is clearly marked as being reserved for the use of persons with a disability or persons responsible for the transportation of a person with a disability and such public parking facility or public parking lot employs persons who are parking attendants and who collect payment. Any parking occurring under the provisions of this subparagraph shall also comply with all regulations and restrictions posted at the entrance of the public parking facility or public parking lot by the management thereof.*

(d) Any person who willfully and falsely represents that such person has the qualifications to obtain the distinctive license plates provided for by this section, or who falsely utilizes the parking privilege accorded by this section, shall be guilty of an unclassified misdemeanor punishable by a fine of not more than \$250.

Sec. 7. K.S.A. 2021 Supp. 8-1,141 is hereby amended to read as follows: 8-1,141. (a) Any new distinctive license plate authorized for issuance on and after July 1, 1994, shall be subject to the personalized license plate fee prescribed by K.S.A. 8-132(c), and amendments thereto. This section shall not apply to any distinctive license plate authorized prior to July 1, 1994.

(b) The director of vehicles shall not issue any new distinctive license plate unless there is a guarantee of an initial issuance of at least 250 license plates.

(c) The provisions of this section shall not apply to distinctive license plates issued under the provisions of K.S.A. 8-1,145, and amendments thereto, or K.S.A. 2021 Supp. 8-177d, 8-1,163, 8-1,166, 8-1,185, 8-1,186, 8-1,187, 8-1,188, 8-1,194, 8-1,195, 8-1,196, 8-1,197, 8-1,198-~~or~~, 8-1,199, *section 1 or section 2*, and amendments thereto.

(d) The provisions of subsection (a); shall not apply to distinctive license plates issued under the provisions of K.S.A. 8-1,146 or 8-1,148, and amendments thereto, or K.S.A. 2021 Supp. 8-1,153, 8-1,158 or 8-1,161, and amendments thereto.

(e) The provisions of subsection (f) shall not apply to distinctive license plates issued under the provisions of K.S.A. 2021 Supp. 8-1,160 and 8-1,183, and amendments thereto, except that the division shall delay the manufacturing and issuance of such distinctive license plate until the division has received not fewer than 100 orders for such plate, including

payment of the personalized license plate fee required under subsection (a). Upon certification by the director of vehicles to the director of accounts and reports that not less than 100 paid orders for such plate have been received, the director of accounts and reports shall transfer \$4,000 from the state highway fund to the distinctive license plate fund.

(f) (1) Any person or organization sponsoring any distinctive license plate authorized by the legislature shall submit to the division of vehicles a nonrefundable amount not to exceed \$5,000, to defray the division's cost for developing such distinctive license plate.

(2) All moneys received under this subsection shall be remitted by the secretary of revenue to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the distinctive license plate fund which is hereby created in the state treasury. All moneys credited to the distinctive license plate fund shall be used by the department of revenue only for the purpose associated with the development of distinctive license plates. All expenditures from the distinctive license plate application fee fund shall be made in accordance with appropriation acts, upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of the department of revenue.

(g) The director of vehicles shall discontinue the issuance of any distinctive license plate if:

(1) Fewer than 250 plates, including annual renewals, are issued for that distinctive license plate by the end of the second year of sales; and

(2) fewer than 125 license plates, including annual renewals, are issued for that distinctive license plate during any subsequent two-year period.

(h) An application for any distinctive license plate issued and the corresponding royalty fee may be collected either by the county treasurer or the entity benefiting from the issuance of the distinctive license plate. Annual royalty payments collected by the county treasurers shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of a segregated royalty fund which shall be administered by the state treasurer. All expenditures from the royalty fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or the state treasurer's designee. Payments from the royalty fund shall be made to the entity benefiting from the issuance of the distinctive license plate on a monthly basis.

(i) Notwithstanding any other provision of law, for any distinctive license plate, the division shall produce such distinctive license plate for a

motorcycle upon request to the division by the organization sponsoring the distinctive license plate.

(j) In addition to any residency requirements for all distinctive license plates, any person not a resident of Kansas, serving as a member of the armed forces stationed in this state shall be eligible to apply for any distinctive license plate as if the individual was a resident of this state. Such person shall be eligible to renew the distinctive license plate registration as long as the person is still stationed in this state at the time the registration is renewed.

Sec. 8. K.S.A. 2021 Supp. 8-1,146 is hereby amended to read as follows: 8-1,146. (a) Any owner or lessee of one or more passenger vehicles, trucks of a gross weight of 20,000 pounds or less, motorcycles or travel trailers, who is a resident of the state of Kansas, and ~~who~~ submits satisfactory proof to the director of vehicles *as provided in subsection (c)*, ~~in accordance with rules and regulations adopted by the secretary of revenue,~~ that such person has proof of: (1) Having served and is designated as a veteran, and has had an honorable discharge from the United States army, navy, air force, marine corps, coast guard, *space force* or merchant marines; or (2) currently serving in the United States army, navy, air force, marine corps, coast guard, *space force* or merchant marines, upon compliance with the provisions of this section, may be issued one distinctive license plate for each such passenger vehicle, truck, motorcycle or travel trailer designating such person as an United States military veteran. Such license ~~plates~~ *plate* shall be issued for the same period of time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto.

~~(b) On and after January 1, 2005,~~ Any person issued a license plate under this section may request a decal for each license plate indicating the appropriate military branch in which the person served or is currently serving.

~~(b)(c)~~ Any person who is a veteran or current member of the United States army, navy, air force, marine corps, coast guard, *space force* or merchant marines may make application for such distinctive license ~~plates~~ *plate*, not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, ~~and~~. Any applicant for the distinctive license ~~plates~~ *plate* shall furnish the director with proof as the director shall require that the applicant is a veteran or current member of the United States army, navy, air force, marine corps, coast guard, *space force* or merchant marines. *As proof of military veteran status, an applicant may provide a DD214 form, a DD form 2 (Retired) or a Kansas driver's license with a veteran designation pursuant to K.S.A. 8-243(e), and amendments thereto.* Application for the registration

of a passenger vehicle, truck, motorcycle or travel trailer and issuance of the license plates under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

~~(e)~~(d) No registration or distinctive license plates issued under the authority of this section shall be transferable to any other person.

~~(d)~~(e) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in ~~subsection (a)~~ K.S.A. 8-143, and amendments thereto, and in the manner prescribed in ~~subsection (b)~~ of K.S.A. 8-132(b), and amendments thereto. No renewal of registration shall be made to any applicant until such applicant has filed with the director a form as provided in ~~subsection (b)~~ (c). If such form is not filed, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the distinctive license plates to the county treasurer of such person's residence.

~~(e)~~(f) A fee of \$2 shall be paid for each decal issued under subsection (a). The director of vehicles shall design such decals. Such decals shall be affixed to the license plate in the location required by the director.

Sec. 9. K.S.A. 2021 Supp. 8-1,147 is hereby amended to read as follows: 8-1,147. In the event of the death of any person issued distinctive license plates under the provisions of K.S.A. 8-161, 8-177a, 8-177c, 8-1,139, 8-1,140, 8-1,145 or 8-1,146 or K.S.A. 2021 Supp. 8-177d, 8-1,163, 8-1,166, 8-1,185, 8-1,186, 8-1,187, 8-1,188, 8-1,194, 8-1,195, 8-1,196, 8-1,197, 8-1,198 ~~or~~, 8-1,199, *section 1 or section 2*, and amendments thereto, the surviving spouse or other family member, if there is no surviving spouse, shall be entitled to possession of any such distinctive license plates. Such license plates shall not be displayed on any vehicle unless otherwise authorized by statute.

Sec. 10. K.S.A. 32-901 is hereby amended to read as follows: 32-901. (a) (1) Except as otherwise provided by law or rules and regulations of the secretary, a valid park and recreation motor vehicle permit is required to use a motor vehicle in any state park, or any portion thereof, or in any other area designated by the secretary pursuant to subsection (f), which is posted in accordance with subsection (g).

(2) *A motor vehicle issued a license plate pursuant to section 3, and amendments thereto, shall constitute a permit allowing the driver of the motor vehicle the rights and obligations to enter a state park as if the driver were an annual permit holder established pursuant to this section in the event that the motor vehicle:*

(A) *Is currently registered and such registration is not expired; and*

(B) *has been issued a license plate pursuant to section 3, and amendments thereto, and the vehicle displays such plate on the motor vehicle as required by law.*

(b) (1) The secretary shall issue annual and daily park and recreation motor vehicle permits, in addition to permits as provided in K.S.A. 8-134, and amendments thereto.

(2) The annual permit shall be issued for each calendar year as provided in K.S.A. 32-983, 32-984 and 32-985, and amendments thereto, and shall not be transferable. The fee for an annual permit shall be fixed by the secretary by rules and regulations adopted in accordance with K.S.A. 32-805, and amendments thereto. A duplicate permit may be issued upon proof of loss of the original permit for the remainder of the calendar year for a fee fixed by the secretary by rules and regulations adopted in accordance with K.S.A. 32-805, and amendments thereto. If the motor vehicle for which an annual permit has been issued is sold or traded during the calendar year for which the permit was issued and the original permit is surrendered to the department, a new permit effective for the remainder of the calendar year may be issued to the person who sold or traded the motor vehicle for a fee fixed by the secretary by rules and regulations adopted in accordance with K.S.A. 32-805, and amendments thereto. Before any duplicate or new permit is issued, the purchaser thereof must show by evidence that the purchaser was issued the original permit and that the purchaser is the holder of a valid certificate of title to the motor vehicle for which the duplicate or new permit is issued.

(3) A daily permit shall be issued for a day, shall be issued for a specific vehicle and shall not be transferable. The fee for such a daily permit shall be fixed by the secretary by rules and regulations adopted in accordance with K.S.A. 32-805, and amendments thereto.

(c) Except as provided in K.S.A. 8-134, and amendments thereto, the following fees shall be applicable until changed by rules and regulations of the secretary:

- (1) Annual motor vehicle permit: \$22.50;
- (2) daily motor vehicle permit: \$3.50; and
- (3) the fee for a daily permit or annual permit for a motor vehicle registered in Kansas by a resident who is 65 or more years of age or who is a person with a disability and displays a special license plate or placard issued pursuant to K.S.A. 8-1,125, and amendments thereto, shall be an amount equal to $\frac{1}{2}$ the fee fixed by the secretary for daily or annual park and recreation motor vehicle permits. A nonresident shall pay the full fee.

(d) The provisions of subsection (a) do not apply to:

- (1) A motor vehicle used in the operation or maintenance of state parks or other areas under the secretary's control, emergency motor vehicles, state-owned motor vehicles, law enforcement motor vehicles or private or government motor vehicles being operated on official business for a governmental agency;

(2) a motor vehicle of a nonresident who secures a special fee, license or permit required by rules and regulations adopted by the secretary in accordance with K.S.A. 32-805, and amendments thereto, relating to the use of the park or other area;

(3) a motor vehicle for which a special permit or pass has been issued pursuant to subsection (d);

(4) a motor vehicle in a state park or other area to which subsection (d) applies on dates designated pursuant to subsection (e); or

(5) a motor vehicle in an area or at a time not designated pursuant to subsection (f) as an area or time which requires a permit.

(e) The secretary may issue a special permit or pass for a motor vehicle used for the purpose of sightseeing, attending a church service, attending an approved special event by members of the news media or emergency reasons, as provided by rules and regulations adopted by the secretary in accordance with K.S.A. 32-805, and amendments thereto.

(f) The secretary may designate by resolution two days each calendar year during which persons may use motor vehicles in state parks and other areas under the secretary's control without having a valid park and recreation motor vehicle permit.

(g) (1) The secretary shall designate the state parks and other areas under the secretary's control, or portions thereof, and the time periods in which motor vehicle permits shall be required hereunder.

(2) The secretary shall cause signs to be posted and maintained at the entrances to all such designated state parks or other areas, or portions thereof, which signs shall display a legend that a motor vehicle entering and using the state park or area, or portion thereof, is required to display on the motor vehicle a permit of the type described in this section.

(h) All fees, licenses and other charges, and rules and regulations relating to the use of and conduct of persons in a state park or other area under the secretary's control, or any facility therein, shall be posted in a convenient and conspicuous place in each such park, area or facility. Except as otherwise provided in this section, each and every person using any such park, area or facility shall be charged the same fees, licenses and every other charge.

Sec. 11. K.S.A. 32-901 and K.S.A. 2021 Supp. 8-161, 8-1,141, 8-1,146 and 8-1,147 are hereby repealed.

Sec. 12. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 13, 2022.

CHAPTER 58

HOUSE BILL No. 2456*

AN ACT concerning wildlife; relating to hunting; establishing the Kansas kids lifetime combination hunting and fishing license; requiring an annual report from the secretary of wildlife and parks to certain legislative committees on the number of such licenses issued.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) (1) The secretary of wildlife and parks shall issue and make available a Kansas kids lifetime combination hunting and fishing license to any child who is a resident, as defined in K.S.A. 32-701, and amendments thereto, and:

(A) Five years of age or younger, upon payment of a license fee that shall not exceed \$300; or

(B) six or seven years of age, upon payment of a license fee that shall not exceed \$500.

(2) Such license fee may be paid on behalf of such child.

(b) The secretary of wildlife and parks shall report annually to the house of representatives agriculture and natural resources budget committee and the senate committee on agriculture and natural resources, or the successor of such committees, on the number of such Kansas kids lifetime combination hunting and fishing licenses issued by the Kansas department of wildlife and parks.

(c) The provisions of this section shall expire on July 1, 2032.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 13, 2022.

CHAPTER 59

House Substitute for SENATE BILL No. 91°

AN ACT concerning high school work-based learning programs; relating to liability for students and business, municipal and postsecondary educational institution program providers; providing liability protection for businesses that participate in work-based learning programs.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) (1) A business that accepts a secondary student in a work-based learning program shall not be subject to civil liability for any claim arising from the student's negligent act or omission during the student's participation in the work-based learning program at the business or worksite.

(2) A business that accepts a secondary student in a work-based learning program shall not be subject to civil liability for any claim for bodily injury to the student or sickness or death by accident of the student arising from the business' negligent act or omission during the student's participation in the work-based learning program at the business or worksite.

(b) Except as provided by subsection (c), the school district shall be solely responsible for any loss to a student resulting from bodily injury or sickness or death by accident arising from any negligent act or omission on the part of the school district or business during the student's participation in the work-based learning program at the business or worksite.

(c) Nothing in this section shall provide immunity for the student or business for civil liability arising from gross negligence or willful misconduct.

(d) "Work-based learning program" means a learning program that:

(1) Includes, but is not limited to, work study, on-the-job training, job shadowing, internships, clinicals, practicums, co-ops and industry-led service-learning projects;

(2) is incorporated into secondary coursework or related to a specific field of study;

(3) integrates knowledge and theory learned in the classroom with the practical application and development of technical skills and proficiencies in a professional work setting; and

(4) shall not include wages, salary or other compensation to the secondary student.

(e) "Business" means any city, county or township, including, but not limited to, a fire department or law enforcement office or department, public university, municipal university, community college, technical college or not-for-profit private postsecondary educational institution, corporation, association, partnership, proprietorship, limited liability company, limited partnership, limited liability partnership, organization or other legal entity, whether for-profit or not-for-profit, that:

(1) Has entered into an agreement with a school district for a work-based learning program; and

(2) directly supervises a student who is participating in the work-based learning program, either on the premises of the business or at another location.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 13, 2022.

CHAPTER 60

HOUSE BILL No. 2005

AN ACT concerning public safety; relating to the duties of the state fire marshal; amending the boiler safety act; relating to exceptions to the applicability of the act; specifications for certain hot water supply boilers; creating the elevator safety act; relating to safety standards for elevators; licensure requirements for elevator inspection, installation and repair; establishing the elevator safety fee fund; amending K.S.A. 44-915 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 44-915 is hereby amended to read as follows: 44-915. (a) The provisions of this act shall not apply to:

(1) Boilers and pressure vessels under the control of the United States government or federal law;

(2) antique, scale model or other steam boilers ~~which~~ *that* are used exclusively for exhibition purposes and ~~which~~ are inspected by associations that have established an approved inspection procedure and whose inspectors are registered as special inspectors with the state fire marshal;

(3) fire engine boilers brought into the state for temporary use in times of emergency;

(4) boilers and pressure vessels located on producing oil and gas leases or storage areas, and outside the limits of any municipality, used solely for oil and gas production purposes;

(5) hot water supply boilers ~~which~~ *that* are directly fired with oil, gas, electricity or solar energy and ~~which~~ are equipped with pressure and temperature safety relief valves approved by the American society of mechanical engineers or the national board of boiler and pressure vessel inspectors, if none of the following limitations is exceeded:

(A) Heat input of 200,000 BTUH;

(B) water temperature of 210° Fahrenheit; and

(C) nominal water capacity of ~~85 gallons or 120 gallons for an electrical utility generating plant;~~

(6) pressure vessels constructed and installed prior to January 1, 1999; and

(7) pressure vessels used to store or transport anhydrous ammonia.

(b) ~~The provisions of subsections (b) and (c) of K.S.A. 44-923(b) and (c), and amendments thereto, and the provisions of K.S.A. 44-924, 44-925 and 44-926, and amendments thereto, shall not apply to:~~

(1) Boilers and pressure vessels located on farms and used solely for agriculture or horticultural purposes;

(2) heating boilers and pressure vessels ~~which~~ *that* are located in private residences or in apartment houses of less than five family units;

(3) boilers and pressure vessels operated and regularly inspected by railway companies operating in interstate commerce;

(4) any boiler and pressure vessels in any establishment in which petroleum products are refined or processed in which all boiler and pressure equipment is inspected and rated either by an inspection service regularly maintained within such establishment or provided by a manufacturer, designer or insurer of such equipment, in accordance with the applicable provisions of any published code or codes of rules or recommended practices nationally recognized in the industry of which such establishment is a part as providing suitable standards for the inspection, repair and rating of pressure equipment of the type used in such establishment;

(5) pressure vessels used for transportation and storage of compressed gases when constructed in compliance with specifications of the United States department of transportation and when charged with gas marked, maintained and periodically requalified for use, as required by appropriate regulations of the United States department of transportation;

(6) pressure vessels located on vehicles operating under the rules and regulations of other state authorities and used to transport passengers or freight;

(7) pressure vessels installed on the right-of-way of railroads and used in the operation of trains;

(8) pressure vessels having an internal or external operating pressure not exceeding 15 psig with no limit on size;

(9) pressure vessels having an inside diameter, width, height or cross section diagonal not exceeding six inches, with no limitation on length of the vessel or pressure;

(10) pressure vessels for containing water or other nonflammable liquids under pressure, including those containing air, the compression of which serves only as a cushion, when neither of the following limitations is exceeded:

(A) A design pressure of 300 psig; or

(B) a design temperature of 210° Fahrenheit;

(11) pressure vessels ~~which~~ *that* may be classified as pressure containers ~~which~~ *that* are an integral part of components of rotating or reciprocating mechanical devices such as pumps, turbines, generators, engines and hydraulic or pneumatic cylinders, where the primary design considerations and stresses are derived from the functional requirements of the device;

(12) pressure vessels that do not exceed: (A) 15 cubic feet and 250 psi pressure; or (B) 1½ cubic feet in volume and 600 psi pressure; and

(13) pressure vessels installed and constructed before January 1, 1999.

New Sec. 2. The provisions of sections 2 through 21, and amendments thereto, shall be known and may be cited as the elevator safety act.

New Sec. 3. As used in sections 1 through 20, and amendments thereto:

(a) “Act” means the elevator safety act.

(b) “Board” means the elevator safety advisory board.

(c) (1) “Elevator” means any device for lifting or moving people, cargo or freight within, or adjacent and connected to, a structure or excavation, including, but not limited to, an escalator, power-driven stairway, moving walkway or stairway chair lift.

(2) The term “elevator” does not mean any:

(A) Amusement ride or other device subject to the Kansas amusement ride act, K.S.A. 2021 Supp. 44-1601 et seq., and amendments thereto;

(B) mining equipment;

(C) aircraft, railroad car, boat, barge, ship, truck or other self-propelled vehicle or component thereof;

(D) a dumbwaiter, conveyor, chain or bucket hoist, construction hoist or similar device used for the primary purpose of elevating or lowering materials;

(E) boiler grate stoker or other similar firing mechanism subject to the boiler safety act, K.S.A. 44-913 et seq., and amendments thereto; or

(F) lift, manlift, belt manlift, chain hoists, climb assists, special purpose personnel elevator, automated people mover or similar device in wind turbine towers, grain elevators, grain warehouses, seed processing facilities, grain processing facilities, biofuel processing facilities, feed mills, flour mills or any similar pet food, feed or agricultural commodity processing facilities.

(d) “Elevator apprentice” means an individual who works under the supervision or general direction of a licensed elevator mechanic.

(e) “Elevator contractor” means a sole proprietorship, firm, partnership, corporation or association that is engaged in the business of erecting, constructing, installing, altering, servicing, repairing or maintaining elevators.

(f) “Elevator inspector” means an individual engaged in the business of inspecting elevators.

(g) “Elevator mechanic” means an individual engaged in the business of erecting, constructing, installing, altering, servicing, repairing or maintaining elevators under the direct supervision of an elevator contractor.

(h) “Licensee” means an elevator contractor, inspector or mechanic who is licensed pursuant to this act.

New Sec. 4. (a) The provisions of this act shall apply to the design, construction, installation, operation, inspection, testing, maintenance, alteration and repair of elevators.

(b) The provisions of this act shall not apply to elevators that are:

(1) In or adjacent to a building or excavation owned by or under the operational control of any federal agency or located on property owned by the United States or any federally recognized native American Indian tribe;

(2) in a single family residence; or

(3) in or adjacent to a building or structure within a manufacturing, utility or other industrial facility.

(c) Any elevator described in subsection (b) shall be inspected by a licensed elevator inspector upon request by the owner or the owner's agent and payment of the inspection fee.

(d) Nothing in this act shall be construed to relieve or lessen the responsibility or liability of any individual, firm or corporation owning, operating, controlling, maintaining, erecting, constructing, installing, altering, inspecting, testing or repairing any elevator for damages to a person or property caused by any defect therein, or as an assumption of any such liability or responsibility or any liability to any person for whatever reason by the state by enactment of this act or any acts or omissions arising under the provisions of this act.

New Sec. 5. Nothing in this act shall be construed to preempt or otherwise restrict a city or county from adopting or continuing any requirements or standards that meet or exceed those of this act and any rules and regulations adopted pursuant thereto. Any city or county that has adopted such requirements or standards shall notify the state fire marshal of such adoption on or before June 30, 2023, and on each June 30 thereafter.

New Sec. 6. (a) No individual shall erect, construct, alter, replace, maintain, remove or dismantle any elevator contained within a building or other structure in this state or wire any elevator from the mainline feeder terminals on the controller unless such individual is a licensed elevator mechanic and such individual is working under the direct supervision of a licensed elevator contractor. An elevator mechanic's license or elevator contractor's license is not required for removing or dismantling elevators that are destroyed as a result of a complete demolition of a secured building or structure, or where the hoistway or wellway is demolished back to the basic support structure whereby no access is permitted therein to endanger the safety and welfare of a person.

(b) No individual shall inspect any elevator within a building or other structure in this state, including, but not limited to, private residences, unless such individual is a licensed elevator inspector. This subsection shall not apply to any individual employed as an elevator inspector by a city or county who performs inspections only while engaged in the performance of such individual's duties as an employee of such city or county.

(c) No individual, firm, partnership, corporation, association or other entity shall erect, alter, replace, maintain, remove, dismantle or operate any elevator in this state or construct any elevator for use in this state in violation of this act or rules and regulations adopted pursuant thereto.

(d) All elevators shall conform to the rules and regulations adopted pursuant to this act. Where any material alteration is made, the elevator

shall conform to applicable requirements of the code. Nothing in this act shall be construed so as to prevent the use, sale or reinstallation of an elevator installed in this state prior to the effective date of this act, provided that such elevator has been made to conform to the rules and regulations adopted pursuant to this act and has not been found upon inspection to be in an unsafe condition or in violation of this act or rules and regulations adopted pursuant thereto.

New Sec. 7. (a) There is hereby established the elevator safety advisory board. The elevator safety advisory board shall consist of the following eleven members who shall be residents of this state:

- (1) Seven members, to be appointed by the governor as follows:
 - (A) One representative from a major elevator manufacturing company or its authorized representative;
 - (B) one representative from an elevator servicing company;
 - (C) one representative of the architectural design or elevator consulting profession;
 - (D) one representative of a city or county in this state;
 - (E) one representative of a building owner or building manager;
 - (F) one representative of labor involved in the installation, maintenance and repair of elevators; and
 - (G) one representative from the general public;
 - (2) one member to be appointed by the president of the senate;
 - (3) one member to be appointed by the speaker of the house of representatives;
 - (4) the state fire marshal or the state fire marshal's designee, who shall serve ex officio; and
 - (5) the secretary of administration or the secretary's designee, who shall serve ex officio.
- (b) Each member of the board appointed under subsections (a)(1) through (3) shall serve a term of three years or until a successor is appointed and qualified. Whenever a vacancy occurs, a successor shall be appointed in accordance with subsection (a). The members of the board shall elect one of the members to serve as chairperson.
- (c) The members of the board shall serve without compensation. Members who are not state officers or employees and who are attending meetings of such committee, or attending a subcommittee meeting thereof authorized by such committee, shall be paid amounts provided in K.S.A. 75-3223(e), and amendments thereto.
- (d) The board shall meet at least six times each year at a time and place to be fixed by the state fire marshal and at such other times as the state fire marshal deems necessary for the consideration of rules and regulations and for the transaction of such other business as may come properly before the board.

(e) The board shall advise the state fire marshal and make recommendations regarding rules and regulations necessary to implement and enforce the provisions of this act. The board shall annually review any rules and regulations adopted by the state fire marshal pursuant to this act.

New Sec. 8. (a) (1) Any individual, firm, partnership, corporation, association or other entity wishing to engage in the business of installing, altering, servicing, replacing or maintaining elevators shall make application for an elevator contractor's license in such form and manner as prescribed by the state fire marshal and shall pay the required initial application fee, which shall not exceed \$500. An applicant shall demonstrate that such applicant employs a licensed elevator mechanic or mechanics to perform the work described in section 6, and amendments thereto, and shall provide proof of compliance with the insurance requirements set forth in section 9, and amendments thereto.

(2) Any individual wishing to engage in installing, altering, repairing or servicing of elevators shall make application for an elevator mechanic's license in such form and manner as prescribed by the state fire marshal and shall pay the required initial application fee, which shall not exceed \$150.

(3) Any individual wishing to engage in the business of inspecting elevators shall make application for an elevator inspector's license in such form and manner as prescribed by the state fire marshal and shall pay the required initial application fee, which shall not exceed \$250. An applicant shall provide proof of compliance with the insurance requirements set forth in section 9, and amendments thereto.

(b) No license shall be issued to any applicant that has not demonstrated the requisite qualifications and abilities required by this act and rules and regulations adopted pursuant thereto. Upon the state fire marshal's approval of an application as having met the requirements for licensure, the state fire marshal shall issue a license. Such license shall be valid for a period of two years and shall be renewable biennially upon submission of a renewal application and payment of the required renewal application fee, which shall not exceed the initial application fee.

(c) An elevator mechanic license shall be issued, upon application, to an applicant that holds a certificate of completion from the national association of elevator contractors certified elevator technician certification program, national elevator industry education apprenticeship program or other equivalent nationally approved apprenticeship program; holds a valid license from a state having standards substantially equal to those of this act and the rules and regulations adopted pursuant thereto; or those persons who can demonstrate within the first year following enactment that such person has worked as an elevator mechanic without supervision for at least 8,000 hours within six years prior to the date of application.

(d) An elevator contractor's license may be issued, upon application, to an applicant that holds a valid license from a state having standards substantially equal to those of this act and rules and regulations adopted pursuant thereto.

(e) An elevator apprentice is not required to hold a license.

(f) Any city or county that has adopted requirements and standards that meet or exceed the requirements and standards of this act and any rules and regulations adopted pursuant thereto may issue an elevator contractor's license or elevator mechanic's license in accordance with such requirements and standards. Any such license shall specify that it is issued by such city or county. No such license shall be issued in lieu of any license issued by the state fire marshal or authorize the licensee to perform work as an elevator contractor or elevator mechanic outside the jurisdiction of the issuing city or county.

New Sec. 9. (a) Elevator contractors shall submit proof to the state fire marshal of a current insurance policy issued by an insurance company authorized to do business in this state that provides general liability coverage of at least \$1,000,000 for injury or death of any number of persons in any one occurrence, with coverage of at least \$500,000 for property damage in any one occurrence and proof of workers compensation insurance coverage as required by Kansas law.

(b) Elevator inspectors, except those employed by an agency, city or county, shall submit to the state fire marshal proof of a current insurance policy issued by an insurance company authorized to do business in this state that provides general liability coverage of at least \$1,000,000 for injury or death of any number of persons in any one occurrence, with coverage of at least \$500,000 for property damage in any one occurrence and proof of statutory workers compensation insurance coverage.

(c) Proof of such policies shall be delivered to the state fire marshal with the application for the license. A licensee shall provide the state fire marshal of notice of any material alteration or cancellation of any policy at least 10 days prior to the effective date of such change in the policy.

New Sec. 10. (a) Whenever the state fire marshal determines an emergency exists in the state due to a disaster, an act of God or work stoppage and the number of persons in the state holding elevator mechanic's licenses is determined by the state fire marshal to be insufficient to cope with the emergency, the state fire marshal may issue emergency elevator mechanic's licenses as necessary to assure the safety of the public. An elevator contractor or applicant for an emergency mechanic's license shall furnish such proof of competency as may be required by rules and regulations adopted pursuant to this act.

(b) An elevator contractor shall notify the state fire marshal when there are no licensed elevator mechanics available to perform work re-

quiring such license. The elevator contractor may request that the state fire marshal issue temporary elevator mechanic's licenses to individuals certified by the licensed elevator contractor to have an acceptable combination of documented experience and education to perform such work without the direct and immediate supervision of a licensed elevator mechanic. Any individual who is certified as such by an elevator contractor may apply for a temporary elevator mechanic's license in such form and manner as prescribed by the state fire marshal. The applicant shall pay the required application fee with such application, which shall not exceed \$50. The state fire marshal may issue a temporary elevator mechanic's license if the state fire marshal finds that the requirements for such licenses have been met.

New Sec. 11. (a) An application for a license may be denied or a license may be suspended or revoked by the state fire marshal upon a finding that one or more of the following have been committed by the applicant or licensee:

(1) Any willfully false statement or willful omission as to a material matter made in the process of securing a license or renewal of a license. A material matter is a fact relevant to a question or line of inquiry in the applicable application form or in additional inquiry of the applicant by the state fire marshal that if made known to the state fire marshal could constitute a basis for a denial of the application under this act or rules and regulations adopted pursuant thereto;

(2) fraud, misrepresentation or bribery in securing a license;

(3) failure to notify the state fire marshal and the owner of an elevator or the owner's agent when:

(A) Any elevator is being operated in this state that is not in compliance with this act or rules and regulations adopted pursuant thereto; and

(B) that such noncompliance was known by the licensee or reasonably should have been known by the licensee;

(4) failure to maintain any requirement or to notify the state fire marshal of any material alteration or change relating to any requirement that is necessary to obtain or renew a license that is in nature a continuing requirement, including, but not limited to, insurance requirements; or

(5) any violation of this act or rules and regulations adopted pursuant thereto.

(b) A license may be suspended or revoked upon a finding by the state fire marshal that facts and circumstances exist that require suspension or revocation of the license to protect the safety of the public, including, but not limited to, facts and circumstances going to the competence, ability or fitness of the licensee to safely conduct the work or activities permitted by the license in a manner that does not risk the safety or well-being of co-workers, employees or the public.

(c) An elevator inspector license may be suspended or revoked upon a finding by the state fire marshal that the licensed elevator inspector has performed duties incompetently, demonstrated untrustworthiness, falsified any matter or statement contained in any application or report or failed to report findings of any inspection made by such licensee to the state fire marshal as required under section 16, and amendments thereto. Such a suspension or revocation shall be effective upon receipt of notice of the suspension or termination by the licensee or the licensee's employer.

(d) Except as otherwise provided by this act, no license shall be suspended or revoked until after a written order issued by the state fire marshal has been served to the licensee who committed the violation. Such order shall state the violation, the penalty to be imposed and the right of the person to request a hearing as provided in section 13, and amendments thereto. The state fire marshal may issue emergency orders, including, but not limited to, immediate suspensions or revocations of a license, as provided by the Kansas administrative procedure act.

New Sec. 12. (a) In addition to any other penalty provided by law, the state fire marshal, upon a finding that any owner, lessee or operator of an elevator, or owner or lessee of a building or structure in which an elevator is located, has violated, knowingly permitted a violation or negligently failed to detect, report or correct a violation of any provision of this act or rules and regulations adopted pursuant thereto with regard to the construction, installation, maintenance, inspection or operation of an elevator, is authorized to impose a civil penalty not to exceed \$1,000 per violation for each day of such unlawful operation or violation. Such civil penalty shall constitute an actual and substantial economic deterrent to the violation for which the penalty is assessed.

(b) In addition to any other penalty provided by law, the state fire marshal, upon a finding that any licensee has violated, knowingly permitted a violation or negligently failed to detect, report or correct a violation of any provision of this act or rules and regulations adopted pursuant thereto, is authorized to impose a civil penalty not to exceed \$1,000 per violation. Such civil penalty shall constitute an actual and substantial economic deterrent to the violation for which the penalty is assessed.

(c) No civil penalty shall be imposed except upon the written order of the state fire marshal to the person who committed the violation. Such order shall state the violation, the penalty to be imposed and the right of the person to request a hearing as provided in section 13, and amendments thereto.

(d) All fines assessed and collected under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance,

the state treasurer shall deposit the entire amount in the state treasury to the credit of the elevator safety fee fund.

New Sec. 13. (a) Any individual, sole proprietor, firm, partnership, association or corporation aggrieved by an order issued by the state fire marshal pursuant to the provisions of this act may request a hearing on such order within 15 days from the date of the service of such order by filing such request in writing with the state fire marshal. Such hearing shall be conducted in accordance with the provisions of the Kansas administrative procedure act. The filing of a request for a hearing shall not abate or operate as a stay of the effect of an emergency order or an order to cease and desist or a stop work order unless otherwise stated in such order.

(b) Except as otherwise provided, all administrative proceedings by the state fire marshal under this act shall be conducted in accordance with the provisions of the Kansas administrative procedure act.

(c) Judicial review and civil enforcement of agency actions under this act shall be in accordance with the Kansas judicial review act.

New Sec. 14. It shall be the responsibility of a licensee to ensure that the design, construction, installation, operation, inspection, testing, maintenance, alteration and repair of an elevator is performed in compliance with the provisions of the state safety and fire prevention act, K.S.A. 31-132 et seq., and amendments thereto.

New Sec. 15. (a) No elevator shall be erected, constructed, installed or altered within or adjacent to a building or structure unless a valid permit is obtained from the state fire marshal. Such permit shall be issued prior to the commencement of any work on such elevator. A permit shall only be issued to a licensed elevator contractor. A copy of such permit shall be kept at the construction site at all times while the work is in progress. Notwithstanding the issuance of a permit, no work shall be performed on any such elevator if the state fire marshal has issued a stop work order for such elevator.

(b) A licensed elevator contractor may apply for a permit in such form and manner as prescribed by the state fire marshal. The applicant shall pay the required permit fee with such application, which shall not exceed \$400.

(c) A permit may be revoked by the state fire marshal for any of the following reasons:

(1) Any false statement or misrepresentation exists as to the material facts in the application, or in the plans or specifications on which the permit was based;

(2) the permit was issued in error and should not have been issued in accordance with the provisions of this act;

(3) the work detailed under the permit is not being performed in accordance with the provisions of the application, or in the plans or speci-

fications on which the permit was based, or is not in accordance with the code; or

(4) the licensed elevator contractor to whom the permit was issued fails or refuses to comply with a stop work order issued by the state fire marshal.

(d) (1) A permit shall expire:

(A) If the work authorized by such permit is not commenced within six months after the date of issuance, or within a shorter period of time specified by the state fire marshal, in the state fire marshal's discretion, at the time the permit is issued; or

(B) if, after the work has been commenced, the work is suspended or abandoned for a period of 60 days, or such shorter period of time as specified by the state fire marshal, in the state fire marshal's discretion, at the time the permit is issued.

(2) For good cause, the state fire marshal, in the state fire marshal's discretion, may allow an extension of any of the periods of time set forth in this subsection.

(e) This section shall not apply to any elevator to be erected, constructed, installed or altered in any city or county that has adopted requirements or standards that meet or exceed the requirements or standards of this act and any rules and regulations adopted pursuant thereto.

New Sec. 16. (a) It shall be the responsibility of the owner of any new or existing elevator or the owner's agent to have such elevator inspected annually by a licensed elevator inspector. Upon such inspection, the licensed elevator inspector shall provide the owner of the elevator or the owner's agent, the owner or lessee of the property where such elevator is located and the state fire marshal with a written inspection report describing any and all code violations. The owner of the elevator or the owner's agent shall have 30 days from the date of the inspection report to be in full compliance by correcting such violations. The state fire marshal may grant additional 30-day extensions of time if the state fire marshal determines good cause has been shown and the safety of the public will not be endangered.

(b) It shall be the responsibility of the owner of any elevator or the owner's agent to have a licensed elevator contractor conduct all required tests at the intervals required by this act and rules and regulations adopted pursuant thereto. All tests shall be performed by a licensed elevator mechanic.

(c) This section shall not apply to any elevator located in a city or county that has adopted requirements or standards that meet or exceed the requirements or standards of this act and any rules and regulations adopted pursuant thereto.

New Sec. 17. (a) For any elevator installed prior to July 1, 2022, the owner of the elevator or the owner's agent shall apply for a certificate of operation on or before July 1, 2023. Such application shall be in such form and manner as prescribed by the state fire marshal and shall include a copy of the most recent inspection report required pursuant to section 16, and amendments thereto, and payment of the required application fee, which shall not exceed \$100.

(b) For any elevator installed on or after July 1, 2022, and prior to January 1, 2023, the owner of such elevator or the owner's agent shall apply for a certificate of operation within six months after such elevator is placed into operation. Such application shall be in such form and manner as prescribed by the state fire marshal and shall include a certification by the licensed elevator contractor that such installation was performed in compliance with the applicable provisions of this act and rules and regulations adopted pursuant thereto and payment of the required application fee, which shall not exceed \$100.

(c) On and after January 1, 2023, before a newly installed elevator may be placed into operation, the licensed elevator contractor that performed the new installation shall apply for a certificate of operation. Such application shall be in such form and manner as prescribed by the state fire marshal and shall include a certification by the licensed elevator contractor that such installation was performed in compliance with the applicable provisions of this act and rules and regulations adopted pursuant thereto and payment of the required application fee, which shall not exceed \$100.

(d) The state fire marshal shall grant applications and renewal applications for certificates of operation if the state fire marshal finds the applicant has demonstrated to the state fire marshal's satisfaction that all applicable provisions of this act and rules and regulations adopted pursuant thereto have been met, the elevator will be operated in accordance with the rules and regulations adopted pursuant to this act and operation of the elevator will not present a danger to the public.

(e) A certificate of operation shall be valid for one year from the date of issuance and may be renewed upon application submitted to the state fire marshal and payment of the required renewal fee, which shall not exceed the initial application fee. An application for a renewal certificate shall be accompanied by an inspection report for an inspection performed within the immediately preceding 12 months.

(f) Certificates of operation shall be clearly displayed on or in each elevator or in the machine room for such elevator. Each certificate of operation shall state that the elevator has been inspected, tested and found to be in compliance with all applicable standards of operation.

(g) This section shall not apply to any elevator located in a city or county that has adopted requirements and standards that meet or exceed

the requirements and standards of this act and any rules and regulations adopted pursuant thereto.

New Sec. 18. (a) The state fire marshal shall establish a registry of elevators that are in operation and for which a certificate of operation has been issued and shall maintain the information provided under subsection (b) as part of such registry.

(b) On or before July 1, 2023, each elevator that was in operation on or before July 1, 2022, for which a certificate of operation has been issued pursuant to section 17, and amendments thereto, shall be registered with the state fire marshal. Such registration shall include:

- (1) The name of the owner of such elevator, the owner's agent, if any, and the operator of the elevator;
- (2) the type;
- (3) the rated load and speed;
- (4) the name of the manufacturer;
- (5) the location and purpose for which such elevator is used; and
- (6) such additional information as may be required by rules and regulations adopted pursuant to this act.

(c) Any elevator that is placed into service and for which a certificate of operation is issued after July 1, 2022, shall be registered at such time as a certificate of operation is issued for such elevator. The registration for any such elevator shall include that information described in subsection (b).

(d) This section shall not apply to any elevator located in a city or county that has adopted requirements and standards that meet or exceed the requirements and standards of this act and any rules and regulations adopted pursuant thereto. Any such city or county shall establish and maintain a registry of elevators located in such city or county that are in operation. Such registry shall include that information described in subsection (b)(1) through (6).

New Sec. 19. (a) Any person may request an investigation into an alleged violation of this act or rules and regulations adopted pursuant thereto, or the installation, servicing, maintenance or operation of an elevator that appears to place the public or persons using such elevator in danger by notifying the state fire marshal of such violation or danger. Such request shall be in writing, setting forth in reasonable particularity the grounds for the request and be signed by the person making the request.

(b) Such request, notice and any records relating to the request shall be confidential and shall not be disclosed by the state fire marshal unless ordered to be disclosed by a court of competent jurisdiction. The provisions of this subsection shall expire on July 1, 2027, unless the legislature reviews and reenacts such provisions in accordance with K.S.A. 45-229, and amendments thereto, prior to July 1, 2027.

(c) Upon receipt of such notification, the state fire marshal shall investigate the alleged violation as soon as practicable, and to the extent determined appropriate by the state fire marshal, determine if such violation or danger exists and may issue such orders as the state fire marshal deems necessary to avoid danger to the public during such investigation. If the state fire marshal determines that there are no reasonable grounds to believe that a violation or danger exists, the state fire marshal shall notify in writing the person who submitted the request for investigation and the owner of the elevator or the owner's agent of such determination. If the state fire marshal determines that a violation or danger exists, the state fire marshal shall revoke the certificate of operation for such elevator, issue such orders as the state fire marshal deems necessary to address the violation or danger or take such other actions as provided by this act to address the violation or danger.

New Sec. 20. (a) On or before January 1, 2023, the state fire marshal shall adopt rules and regulations necessary to implement and enforce the provisions of this act. Rules and regulations adopted by the state fire marshal shall be based on and follow generally accepted national engineering standards, formula and practices that shall at a minimum include adoption of current American national standards known as the American society of mechanical engineers (ASME) safety code for elevators and escalators and the safety standards for wind turbine tower elevators.

(b) Such rules and regulations shall include rules and regulations:

(1) For the operation, maintenance, servicing, construction, alteration and installation of elevators;

(2) requirements and qualifications for the licensure of elevator contractors, mechanics and inspectors, including initial and renewal application requirements, examination requirements and continuing education requirements;

(3) requirements and qualifications for the issuance of emergency and temporary licenses;

(4) requirements for issuance of permits and certificates of operation, including initial and renewal application requirements;

(5) requirements for registration of elevators; and

(6) standards for granting exceptions and variances from rules and regulations adopted pursuant to this act and municipal ordinances.

(b) The state fire marshal shall establish a schedule for fees for licenses, permits, certificates of operation, inspections and variance requests. The fees shall reasonably reflect the state fire marshal's actual costs and expenses to operate and to conduct those duties and obligations as described in this act.

(c) The state fire marshal shall have the authority to grant or deny requests for exceptions and variances from the requirements of rules and

regulations adopted pursuant to this act or from municipal ordinances in cases where the state fire marshal finds such exception or variance would not jeopardize the public safety and welfare and that the request meets the applicable standards adopted by the state fire marshal for granting such an exception or variance.

New Sec. 21. The elevator safety fee fund is hereby established in the state treasury and shall be administered by the state fire marshal. The state fire marshal shall remit all moneys received from fees, charges or penalties assessed in accordance with this act to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the elevator safety fee fund. All expenditures from the elevator safety fee fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state fire marshal or the state fire marshal's designee.

Sec. 22. K.S.A. 44-915 is hereby repealed.

Sec. 23. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 14, 2022.

CHAPTER 61

HOUSE BILL No. 2087

AN ACT concerning administrative rules and regulations; requiring the review of rules and regulations by state agencies every five years; relating to review by the director of the budget; requirements for adoption of rules and regulations; providing an alternative procedure for revocation of certain rules and regulations; amending K.S.A. 77-416, 77-420, 77-420a, 77-421, 77-422, 77-426 and 77-436 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. (a) All rules and regulations adopted by state agencies under the provisions of K.S.A. 77-415 et seq., and amendments thereto, shall be reviewed every five years in accordance with this section.

(b) (1) Each state agency that has adopted rules and regulations shall submit a report to the joint committee on administrative rules and regulations on or before July 15 of the year that corresponds to such state agency under paragraph (2). Such report shall contain a summary of such state agency's review and evaluation of rules and regulations adopted by such state agency, including a statement for each rule and regulation as to whether such rule and regulation is necessary for the implementation and administration of state law or may be revoked pursuant to K.S.A. 77-426(d), and amendments thereto.

(2) Each state agency that has adopted rules and regulations shall submit a report as required under paragraph (1) in the years that correspond to such state agency as follows:

(A) For 2023 and every fifth year thereafter, the following state agencies:

- (i) Department of administration;
- (ii) municipal accounting board;
- (iii) state treasurer;
- (iv) Kansas department of agriculture;
- (v) Kansas department of agriculture—division of water resources;
- (vi) state election board;
- (vii) secretary of state;
- (viii) livestock brand commissioner;
- (ix) Kansas department of agriculture—division of animal health;
- (x) Kansas bureau of investigation;
- (xi) Kansas department of agriculture—division of conservation;
- (xii) agricultural labor relations board;
- (xiii) alcoholic beverage control board of review;
- (xiv) Kansas department of revenue—division of alcoholic beverage control;
- (xv) athletic commission;
- (xvi) attorney general;

- (xvii) office of the state bank commissioner;
- (xviii) employee award board;
- (xix) governmental ethics commission;
- (xx) crime victims compensation board;
- (xxi) Kansas human rights commission;
- (xxii) state fire marshal; and
- (xxiii) Kansas department of wildlife and parks;
- (B) for 2024 and every fifth year thereafter, the following state agencies:
 - (i) Kansas wheat commission;
 - (ii) Kansas state grain inspection department;
 - (iii) Kansas department for aging and disability services;
 - (iv) Kansas energy office;
 - (v) department of health and environment;
 - (vi) Kansas department for children and families;
 - (vii) park and resources authority;
 - (viii) state salvage board;
 - (ix) Kansas department of transportation;
 - (x) Kansas highway patrol;
 - (xi) savings and loan department;
 - (xii) Kansas turnpike authority;
 - (xiii) insurance department;
 - (xiv) food service and lodging board;
 - (xv) commission on alcoholism;
 - (xvi) corrections ombudsman board;
 - (xvii) department of corrections;
 - (xviii) Kansas prisoner review board;
 - (xix) executive council;
 - (xx) mined-land conservation and reclamation (KDHE);
 - (xxi) department of labor—employment security board of review;
 - (xxii) department of labor;
 - (xxiii) department of labor—division of employment; and
 - (xxiv) department of labor—division of workers compensation;
- (C) for 2025 and every fifth year thereafter, the following state agencies:
 - (i) State records board;
 - (ii) state library;
 - (iii) board for the registration and examination of landscape architects;
 - (iv) adjutant general's department;
 - (v) state board of nursing;
 - (vi) Kansas board of barbering;
 - (vii) state board of mortuary arts;

- (viii) board of engineering examiners;
 - (ix) board of examiners in optometry;
 - (x) state board of technical professions;
 - (xi) Kansas board of examiners in fitting and dispensing of hearing instruments;
 - (xii) state board of pharmacy;
 - (xiii) Kansas state board of cosmetology;
 - (xiv) state board of veterinary examiners;
 - (xv) Kansas dental board;
 - (xvi) board of examiners of psychologists;
 - (xvii) registration and examining board for architects;
 - (xviii) board of accountancy;
 - (xix) state bank commissioner—consumer and mortgage lending division;
 - (xx) board of basic science examiners;
 - (xxi) Kansas public employees retirement system;
 - (xxii) office of the securities commissioner; and
 - (xxiii) Kansas corporation commission;
- (D) for 2026 and every fifth year thereafter, the following state agencies:
- (i) Public employee relations board;
 - (ii) abstracters' board of examiners;
 - (iii) Kansas real estate commission;
 - (iv) education commission;
 - (v) state board of regents;
 - (vi) school budget review board;
 - (vii) school retirement board;
 - (viii) state department of education;
 - (ix) Kansas department of revenue;
 - (x) Kansas department of revenue—division of property valuation;
 - (xi) state board of tax appeals;
 - (xii) crop improvement association;
 - (xiii) Kansas commission on veterans' affairs office;
 - (xiv) Kansas water office;
 - (xv) Kansas department of agriculture—division of weights and measures;
 - (xvi) state board of healing arts;
 - (xvii) podiatry board;
 - (xviii) behavioral sciences regulatory board;
 - (xix) state bank commissioner and savings and loan commissioner—joint regulations;
 - (xx) consumer credit commissioner, credit union administrator, savings and loan commissioner and bank commissioner—joint regulations;

- (xxi) state board of indigents' defense services;
- (xxii) Kansas commission on peace officers' standards and training;
- and
- (xxiii) law enforcement training center; and
- (E) for 2027 and every fifth year thereafter, the following state agencies:

- (i) Kansas state employees health care commission;
- (ii) emergency medical services board;
- (iii) department of commerce;
- (iv) Kansas lottery;
- (v) Kansas racing and gaming commission;
- (vi) Kansas department of wildlife and parks;
- (vii) Kansas state fair board;
- (viii) real estate appraisal board;
- (ix) state historical society;
- (x) health care data governing board;
- (xi) state department of credit unions;
- (xii) pooled money investment board;
- (xiii) department of corrections—division of juvenile services;
- (xiv) state child death review board;
- (xv) Kansas agricultural remediation board;
- (xvi) unmarked burial sites preservation board;
- (xvii) Kansas housing resources corporation;
- (xviii) department of commerce—Kansas athletic commission;
- (xix) department of health and environment—division of health care finance;
- (xx) home inspectors registration board;
- (xxi) committee on surety bonds and insurance;
- (xxii) 911 coordinating council; and
- (xxiii) office of administrative hearings.

(c) For any state agency not listed in subsection (b)(2) that adopts rules and regulations that become effective on or after July 1, 2022, such state agency shall submit a report to the joint committee on administrative rules and regulations in accordance with subsection (b)(1) on or before July 15 of the fifth year after such rules and regulations become effective and every fifth year thereafter.

(d) Notwithstanding any other provision of law, a rule and regulation may be adopted or maintained by a state agency only if such rule and regulation serves an identifiable public purpose to support state law and may not be broader than is necessary to meet such public purpose.

(e) This section shall be a part of and supplemental to the rules and regulations filing act, K.S.A. 77-415 et seq., and amendments thereto.

Sec. 2. K.S.A. 77-416 is hereby amended to read as follows: 77-416. (a) Every state agency shall file with the secretary of state every rule and regulation adopted by it and every amendment and revocation thereof in the manner prescribed by the secretary of state. Each rule and regulation shall include a citation to the statutory section or sections being implemented or interpreted and a citation of the authority pursuant to which it, or any part thereof, was adopted. Every rule and regulation filed in the office of the secretary of state shall be accompanied by a copy of the economic impact statement required by subsection (b) and a copy of the environmental benefit statement if required by subsection (d). A copy of any document adopted by reference in a rule and regulation shall be available from the state agency that adopted the rule and regulation upon request by any person interested therein. The state agency, under the direction of the secretary of state, shall number each section with a distinguishing number and, in making a compilation of the rules and regulations, the sections shall be arranged in numerical order. A decimal system of numbering shall be prohibited.

(b) (1) At the time of drafting a proposed rule and regulation or amendment to an existing rule and regulation, the state agency shall consider the economic impact of the proposed rule and regulation. The state agency shall prepare an economic impact statement that shall include:

(A) An analysis, brief description, and cost and benefit quantification of the proposed rules and regulations and what is intended to be accomplished by their adoption. If the approach chosen by the Kansas agency to address the policy issue is different from that utilized by agencies of contiguous states or of the federal government, the economic impact statement shall include an explanation of why the Kansas agency's rule and regulation differs;

(B) whether the proposed rule and regulation is mandated by federal law as a requirement for participating in or implementing a federally subsidized or assisted program and whether the proposed rules and regulations exceed the requirements of applicable federal law;

(C) an analysis specifically addressing the following factors:

(i) The extent to which the rule and regulation will enhance or restrict business activities and growth;

(ii) the economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, business sectors, public utility ratepayers, individuals and local governmental units that will be affected by the proposed rule and regulation and on the state economy as a whole;

(iii) the businesses that would be directly affected by the proposed rule and regulation;

(iv) the benefits of the proposed rule and regulation compared to the cost;

(v) measures taken by the agency to minimize the cost and impact of the proposed rule and regulation on business and economic development within the state of Kansas, local government and individuals; *and*

(vi) ~~an estimate, expressed as a single dollar figure, of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to businesses, local governmental units or members of the public and a determination of whether those costs will exceed \$1,000,000 over any two-year period from the effective date of this act through June 30, 2024, or exceed \$3,000,000 over any two-year period on and after July 1, 2024; and~~

~~(vii) an estimate of the total implementation and compliance costs that are reasonably expected to be incurred by or passed along to businesses, local governmental units and individuals as a result of the proposed rule, expressed as a single dollar figure.~~

(2) The state agency shall consult with the league of Kansas municipalities, Kansas association of counties and the Kansas association of school boards, as appropriate, when preparing the economic impact statement of a proposed rule and regulation which increases or decreases revenues of cities, counties or school districts or imposes functions or responsibilities on cities, counties or school districts that will increase their expenditures or fiscal liability. The agency shall consult and solicit information from businesses, business associations, local governmental units, state agencies or institutions and members of the public that may be affected by the proposed rule and regulation or that may provide relevant information.

(3) As required pursuant to the provisions of K.S.A. 77-420(d), and amendments thereto, the state agency shall reevaluate and, when necessary, update the economic impact statement when directed to do so by the director of the budget and, if approved by the director of the budget, shall submit the revised economic impact statement at the time of filing a rule and regulation with the secretary of state. If a public hearing was held prior to the adoption of the rule and regulation, a state agency at the time of filing a rule and regulation with the secretary of state shall include as a part of the economic impact statement a statement specifying the time and place at which the hearing was held and the attendance at the hearing. A copy of the current economic impact statement shall be available from the state agency upon request by any party interested therein.

(4) *The implementation and compliance costs determined under subsection (b)(1)(C)(vi) shall be those additional costs reasonably expected to be incurred and shall be separately identified for the affected businesses, local governmental units and members of the public. In determining total additional costs of such proposed rules and regulations, the state agency shall not account for any actual or estimated cost savings that may be re-*

alized by the implementing state agency, local government or by members of the public.

(c) Pursuant to the provisions of K.S.A. 77-420, and amendments thereto, the director of the budget shall review the economic impact statement prepared by any state agency and shall prepare a supplemental or revised statement and an independent analysis by the director of the budget of the cost and the factors as set forth in subsection (b)(1)(A) and (C) and subsection (e). If possible, the supplemental or revised statement shall include a reliable estimate in dollars of the anticipated change in revenues and expenditures of the state. It also shall include a statement, if determinable or reasonably foreseeable, of the immediate and long-range economic impact of the rule and regulation upon persons subject thereto, small employers and the general public. If, after careful investigation, it is determined that no dollar estimate is possible, the statement shall set forth the reasons why no dollar estimate can be given. Every state agency is directed to cooperate with the division of the budget in the preparation of any statement pursuant to this subsection when, and to the extent, requested by the director of the budget. The director of the budget shall follow the procedures set forth in K.S.A. 77-420, and amendments thereto, in evaluating and accepting or rejecting the proposed rule and regulation. No agency shall submit a rule and regulation to the secretary of state for filing before receiving the approval of the director of the budget as provided in this subsection and K.S.A. 77-420, and amendments thereto.

(d) At the time of drafting a proposed environmental rule and regulation or amendment to an existing environmental rule and regulation, the state agency shall consider the environmental benefit of such proposed rule and regulation or amendment. Prior to giving notice of a hearing on a proposed rule and regulation, the state agency shall prepare an environmental benefit statement that shall include a description of the need for and the environmental benefits that will likely accrue as the result of the proposed rule and regulation or amendment. The description shall summarize, when applicable, research indicating the level of risk to the public health or the environment being removed or controlled by the proposed rule and regulation or amendment. When specific contaminants are to be controlled by the proposed rule and regulation or amendment, the description shall indicate the level at which the contaminants are considered harmful according to currently available research. The state agency may consult with other state agencies when preparing the environmental benefit statement. The state agency shall reevaluate and, when necessary, update the statement at the time of filing a rule and regulation with the secretary of state. A copy of the current environmental benefit statement shall be available from the state agency upon request by any party interested therein.

(e) In addition to the requirements of subsection (b), the economic impact statement for all environmental rules and regulations shall include:

(1) A description of the capital and annual costs of compliance with the proposed rules and regulations, and the persons who will bear those costs;

(2) a description of the initial and annual costs of implementing and enforcing the proposed rules and regulations, including the estimated amount of paperwork, and the state agencies, other governmental agencies or other persons or entities who will bear the costs;

(3) a description of the costs that would likely accrue if the proposed rules and regulations are not adopted, the persons who will bear the costs and those who will be affected by the failure to adopt the rules and regulations; and

(4) a detailed statement of the data and methodology used in estimating the costs used in the statement.

(f) In ~~2021~~ 2026, the legislative post audit committee shall direct the legislative division of post audit to conduct an audit to study:

(1) The accuracy of economic impact statements submitted by state agencies pursuant to this section for the immediately preceding seven years;

(2) the impact the review by the director of the budget has had on the accuracy of economic impact statements submitted by state agencies pursuant to this section; and

(3) whether the \$1,000,000 or \$3,000,000 cost figure is the appropriate amount of economic impact to trigger the hearing procedure required by K.S.A. 77-420(a), and amendments thereto.

Sec. 3. K.S.A. 77-420 is hereby amended to read as follows: 77-420.

(a) (1) *Except as further provided by this subsection*, every rule and regulation proposed to be adopted by any state agency, ~~before~~ *after* being submitted to the secretary of administration and the attorney general as required by this section, shall be submitted with the economic impact statement for the rule and regulation required by K.S.A. 77-416, and amendments thereto, to the director of the budget for review of the accuracy and completeness of the agency's economic impact statement. ~~The director of the budget shall make an independent determination of the amount of implementation and compliance costs reasonably expected to be incurred by or passed along to businesses, local government and individuals over any two year period as a result of the proposed rule and regulation and shall conduct an independent analysis of the factors set forth in K.S.A. 77-416(b)(1)(A) and (C) and (e), and amendments thereto.~~ Every rule and regulation ~~approved~~ *requiring approval* by the director of the budget shall be stamped as approved, and the date of approval shall be indicated.

(2) If the ~~director independently~~ *agency* determines that a proposed rule and regulation submitted or resubmitted by the agency will not result in implementation or compliance costs of more than \$1,000,000 *from the effective date of this act through June 30, 2024, or more than \$3,000,000 on and after July 1, 2024*, for businesses, local government or individuals in any two-year period, the ~~director shall:~~

~~(A) approve the rule and regulation if the director independently determines that the economic impact statement is accurate, demonstrates a complete analysis as required by K.S.A. 77-416(b)(1)(A) and (C) and (e), and amendments thereto, and the director concurs with the economic impact statement; or~~

~~(B) disapprove the rule and regulation~~ *agency shall provide a copy of the economic impact statement to the director, but the director shall not be required to review or approve the proposed rule and regulation.*

(3) If the ~~director of the budget~~ *agency* determines that the proposed rule and regulation will result in implementation and compliance costs of more than \$1,000,000 *from the effective date of this act through June 30, 2024, or more than \$3,000,000 on and after July 1, 2024*, for businesses, local government or individuals in any two-year period, the director of the budget shall:

~~(A) approve the proposed rule and regulation, if the agency, prior to the submission or the resubmission of a rule and regulation to the director, holds a public hearing and finds that the costs of the proposed rule and regulation have been accurately determined and are necessary for achieving legislative intent and the director, after an independent analysis, concurs with the agency's findings and analysis and approves the economic impact statement; or~~

~~(B) disapprove the proposed rule and regulation.~~

(4) *If an agency is proposing a rule and regulation because of a federal mandate as described in K.S.A. 77-416(b)(1)(B), and amendments thereto, the agency shall provide a copy of the economic impact statement to the director, but the director shall not be required to review or approve the proposed rule and regulation, regardless of the implementation and compliance cost of the proposed rule and regulation.*

(5) *For the purposes of this subsection, the implementation and compliance cost shall be calculated from the effective date of the rule and regulation.*

(b) The director of the budget shall submit an annual report to the legislature and to the joint committee on administrative rules and regulations on the first day of the 2019 regular legislative session and subsequent regular legislative sessions on all rules and regulations approved ~~or denied~~ by the director. The report shall include the text of each rule and regulation reviewed, the final economic impact statement and a summary of the

director's analysis supporting the decision to approve ~~or reject~~ the rule and regulation. The director shall immediately submit a separate report to the legislature, if in session, and the joint committee on administrative rules and regulations upon the approval ~~or denial~~ of a rule or regulation with costs determined to be greater than \$1,000,000 *from the effective date of this act through June 30, 2024, or greater than \$3,000,000 on and after July 1, 2024*, for businesses, local government or individuals over any two-year period. The report shall include an analysis of the agency's and the director's decisions with respect to the necessity of the cost of the rule and regulation to achieve legislative intent.

(c) Every rule and regulation proposed to be adopted by any state agency ~~that has been approved by the director of the budget pursuant to the provisions of subsection (a)~~, before being submitted to the attorney general *and the director of the budget as required* under this section, shall be submitted to the secretary of administration for approval of its organization, style, orthography and grammar subject to such requirements as to organization, style, orthography and grammar as the secretary may adopt. Every rule and regulation submitted to the secretary of administration under this subsection shall be accompanied by a copy of any document which is adopted by reference by the rule and regulation. Every rule and regulation approved by the secretary of administration under this subsection shall be stamped as approved and the date of such approval shall be indicated therein.

(d) Every rule and regulation proposed by any state agency that has been approved by ~~the director of the budget~~ and the secretary of administration as provided in ~~subsections (a) and subsection (c)~~, before being ~~adopted or filed~~ *submitted to the director of the budget as required under this section*, shall be submitted to the attorney general for an opinion as to the legality of the same, including whether the making of such rule and regulation is within the authority conferred by law on the state agency. The attorney general shall promptly furnish an opinion as to the legality of the proposed rule and regulation so submitted. Every rule and regulation submitted to the attorney general under this subsection shall be accompanied by a copy of any document which is adopted by reference by the rule and regulation. Every rule and regulation approved by the attorney general under this subsection shall be stamped as approved and the date of such approval shall be indicated therein.

(e) No rule and regulation shall be filed by the secretary of state unless:

(1) The rule and regulation ~~has been approved by the director of the budget~~ *complied with the provisions of subsection (a)*;

(2) the organization, style, orthography and grammar have been approved by the secretary of administration;

(3) the rule and regulation has been approved in writing by the attorney general as to legality;

(4) the rule and regulation has been formally adopted by the state agency after it has ~~been approved by the director of the budget~~ *complied with the provisions of subsection (a)*, the secretary of administration and the attorney general and is accompanied by a certified or other formal statement of adoption when adoption is by an executive officer of a state agency, or by a certified copy of the roll call vote required for its adoption by K.S.A. 77-421, and amendments thereto, when adoption is by a board, commission, authority or other similar body;

(5) the rule and regulation to be filed is accompanied by a copy of the economic impact statement as provided by K.S.A. 77-416, and amendments thereto, that ~~has been reviewed and approved by the director of the budget as provided by~~ *complies with the provisions of* subsection (a); and

(6) the rule and regulation to be filed is accompanied by a copy of the environmental benefit statement required by K.S.A. 77-416, and amendments thereto, if applicable.

Sec. 4. K.S.A. 77-420a is hereby amended to read as follows: 77-420a. No rule and regulation shall be adopted prior to the effective date of the statute authorizing its adoption, but prior to the effective date of such statute, the proposed rule and regulation may be submitted to ~~the director of the budget, the secretary of administration and to, the attorney general and to the director of the budget~~ for approval as required by K.S.A. 77-420, and amendments thereto, and notice of the proposed rule and regulation may be given and a hearing held thereon in the manner provided by K.S.A. 77-421, and amendments thereto.

Sec. 5. K.S.A. 77-421 is hereby amended to read as follows: 77-421. (a) (1) Except as provided by subsection (a)(2), subsection (a)(3) or subsection (a)(4), prior to the adoption of any permanent rule and regulation or any temporary rule and regulation which is required to be adopted as a temporary rule and regulation in order to comply with the requirements of the statute authorizing the same and after any such rule and regulation has been approved by ~~the director of the budget, the secretary of administration and, the attorney general and the director of the budget~~, the adopting state agency shall give at least 60 days' notice of its intended action in the Kansas register and to the secretary of state and to the joint committee on administrative rules and regulations established by K.S.A. 77-436, and amendments thereto. The notice shall be provided to the secretary of state and to the chairperson, vice chairperson, ranking minority member of the joint committee and legislative research department and shall be published in the Kansas register. A complete copy of all proposed rules and regulations and the complete economic impact statement required by

K.S.A. 77-416, and amendments thereto, shall accompany the notice sent to the secretary of state. The notice shall contain:

- (A) A summary of the substance of the proposed rules and regulations;
- (B) a summary of the economic impact statement indicating the estimated economic impact on governmental agencies or units, persons subject to the proposed rules and regulations and the general public;
- (C) a summary of the environmental benefit statement, if applicable, indicating the need for the proposed rules and regulations;
- (D) the address where a complete copy of the proposed rules and regulations, the complete economic impact statement, the environmental benefit statement, if applicable, required by K.S.A. 77-416, and amendments thereto, may be obtained;
- (E) the time and place of the public hearing to be held; the manner in which interested parties may present their views; and
- (F) a specific statement that the period of 60 days' notice constitutes a public comment period for the purpose of receiving written public comments on the proposed rules and regulations and the address where such comments may be submitted to the state agency. Publication of such notice in the Kansas register shall constitute notice to all parties affected by the rules and regulations.

(2) Prior to adopting any rule and regulation which establishes seasons and fixes bag, creel, possession, size or length limits for the taking or possession of wildlife and after such rule and regulation has been approved by the secretary of administration and the attorney general, the secretary of wildlife, parks and tourism shall give at least 30 days' notice of its intended action in the Kansas register and to the secretary of state and to the joint committee on administrative rules and regulations created pursuant to K.S.A. 77-436, and amendments thereto. All other provisions of subsection (a)(1) shall apply to such rules and regulations, except that the statement required by subsection ~~(a)(1)(E)~~ (a)(1)(F) shall state that the period of 30 days' notice constitutes a public comment period on such rules and regulations.

(3) Prior to adopting any rule and regulation which establishes any permanent prior authorization on a prescription-only drug pursuant to K.S.A. 39-7,120, and amendments thereto, or which concerns coverage or reimbursement for pharmaceuticals under the pharmacy program of the state medicaid plan, and after such rule and regulation has been approved by the director of the budget, the secretary of administration and the attorney general, the secretary of health and environment shall give at least 30 days' notice of its intended action in the Kansas register and to the secretary of state and to the joint committee on administrative rules and regulations created pursuant to K.S.A. 77-436, and amendments thereto. All other provisions of subsection (a)(1) shall apply to such rules and

regulations, except that the statement required by subsection ~~(a)(1)(E)~~ ~~(a)(1)(F)~~ shall state that the period of 30 days' notice constitutes a public comment period on such rules and regulations.

(4) Prior to adopting any rule and regulation pursuant to subsection (c), the state agency shall give at least 60 days' notice of its intended action in the Kansas register and to the secretary of state and to the joint committee on administrative rules and regulations created pursuant to K.S.A. 77-436, and amendments thereto. All other provisions of subsection (a) (1) shall apply to such rules and regulations, except that the statement required by subsection ~~(a)(1)(E)~~ ~~(a)(1)(F)~~ shall state that the period of notice constitutes a public comment period on such rules and regulations.

(b) (1) On the date of the hearing, all interested parties shall be given reasonable opportunity to present their views or arguments on adoption of the rule and regulation, either orally or in writing. At the time it adopts or amends a rule and regulation, the state agency shall prepare a concise statement of the principal reasons for adopting the rule and regulation or amendment thereto, including:

(A) The agency's reasons for not accepting substantial arguments made in testimony and comments; and

(B) the reasons for any substantial change between the text of the proposed adopted or amended rule and regulation contained in the published notice of the proposed adoption or amendment of the rule and regulation and the text of the rule and regulation as finally adopted.

(2) Whenever a state agency is required by any other statute to give notice and hold a hearing before adopting, amending, reviving or revoking a rule and regulation, the state agency, in lieu of following the requirements or statutory procedure set out in such other law, may give notice and hold hearings on proposed rules and regulations in the manner prescribed by this section.

(3) Notwithstanding the other provisions of this section, the secretary of corrections may give notice or an opportunity to be heard to any inmate in the custody of the secretary with regard to the adoption of any rule and regulation.

(c) (1) The agency shall initiate new rulemaking proceedings under this act, if a state agency proposes to adopt a final rule and regulation that:

(A) Differs in subject matter or effect in any material respect from the rule and regulation as originally proposed; and

(B) is not a logical outgrowth of the rule and regulation as originally proposed.

(2) For the purposes of this provision, a rule and regulation is not the logical outgrowth of the rule and regulation as originally proposed if a person affected by the final rule and regulation was not put on notice that such person's interests were affected in the rule making.

(d) When, pursuant to this or any other statute, a state agency holds a hearing on the adoption of a proposed rule and regulation, the agency shall cause written minutes or other records, including a record maintained on sound recording tape or on any electronically accessed media or any combination of written or electronically accessed media records of the hearing to be made. If the proposed rule and regulation is adopted and becomes effective, the state agency shall maintain, for not less than three years after its effective date, such minutes or other records, together with any recording, transcript or other record made of the hearing and a list of all persons who appeared at the hearing and who they represented, any written testimony presented at the hearing and any written comments submitted during the public comment period.

(e) No rule and regulation shall be adopted by a board, commission, authority or other similar body except at a meeting which is open to the public and notwithstanding any other provision of law to the contrary, no rule and regulation shall be adopted by a board, commission, authority or other similar body unless it receives approval by roll call vote of a majority of the total membership thereof.

Sec. 6. K.S.A. 77-422 is hereby amended to read as follows: 77-422. (a) A rule and regulation may be adopted by a state agency as a temporary rule and regulation if the state agency and the state rules and regulations board finds that the preservation of the public peace, health, safety or welfare necessitates or makes desirable putting such rule and regulation into effect prior to the time it could be put into effect if the agency were to comply with the notice, hearing and publication requirements of this act or prior to the effective date prescribed by K.S.A. 77-426, and amendments thereto.

(b) Temporary rules and regulations may be adopted without the giving of notice and the holding of a hearing thereon.

(c) (1) A temporary rule and regulation shall take effect:

(A) After approval by ~~the director of the budget~~, the secretary of administration ~~and~~, the attorney general *and the director of the budget* as provided by K.S.A. 77-420, and amendments thereto;

(B) after approval by the state rules and regulations board as provided by K.S.A. 77-423, and amendments thereto; and

(C) upon filing with the secretary of state.

(2) The effective date of all or specific parts of a temporary rule and regulation may be delayed to a date later than its filing date if the delayed effective date of such rule and regulation, or specific parts thereof, is clearly expressed in the body of such rule and regulation.

(3) A temporary rule and regulation shall be effective for a period not to exceed 120 days except that, for good cause, a state agency may request that a temporary rule and regulation may be renewed one time for an additional period not to exceed 120 days.

(d) A temporary rule and regulation which amends an existing rule and regulation shall have the effect of suspending the force and effect of the existing rule and regulation until such time as the temporary rule and regulation is no longer effective. In such case, at the time the temporary rule and regulation ceases to be effective, the existing permanent rule and regulation which was amended by the temporary rule and regulation shall be in full force and effect unless such existing rule and regulation is otherwise amended, revoked or suspended as provided by law.

(e) Temporary rules and regulations shall be numbered in accordance with the numbering arrangement approved by the secretary of state and otherwise shall conform to the approval, adoption and filing requirements of this act, insofar as the same can be made applicable.

Sec. 7. K.S.A. 77-426 is hereby amended to read as follows: 77-426. (a) All rules and regulations ~~which~~ *that* are in force and effect at the time this act takes effect shall continue in full force and effect and may be amended, revived or revoked as provided by law. All new rules and regulations and all amendments, revivals or revocations of rules and regulations, other than temporary regulations, adopted in any year shall be filed with the secretary of state and shall become effective 15 days following its publication in the Kansas register or such later date as clearly expressed in the body of such rule and regulation.

(b) *Except for rules and regulations revoked pursuant to subsection (d), as soon as possible after the filing of any rules and regulations by a state agency, the secretary of state shall submit to the joint committee on administrative rules and regulations such number of copies as may be requested by the joint committee on administrative rules and regulations.*

(c) At any time prior to adjournment sine die of the regular session of the legislature, the legislature may adopt a concurrent resolution expressing the concern of the legislature with any permanent or temporary rule and regulation ~~which~~ *that* is in force and effect and on file in the office of the secretary of state and any permanent rule and regulation filed in the office of the secretary of state during the preceding year and requesting the revocation of any such rule and regulation or the amendment of any such rule and regulation in the manner specified in such resolution.

(d) (1) *Notwithstanding any other provision of the rules and regulations filing act, any rule and regulation may be revoked pursuant to this subsection if such rule and regulation is identified by a state agency in the report submitted to the joint committee on administrative rules and regulations pursuant to section 1, and amendments thereto, as one that may be revoked pursuant to this subsection. A state agency may revoke a rule and regulation by filing a notice of such revocation with the secretary of state and causing such notice to be published in the Kansas register. Such*

notice of revocation shall not contain any new rules and regulations or any amendments to any rules and regulations.

(2) Prior to filing the notice of revocation with the secretary, the state agency shall:

(A) Upon the written request of a member of the public, hold a public hearing on the proposed notice of revocation;

(B) submit the notice of revocation to the attorney general for review and approval in accordance with K.S.A. 77-420(d), and amendments thereto; and

(C) submit the notice of revocation to the joint committee on administrative rules and regulations and, upon request by the chairperson of such committee, appear before such committee at a hearing on such notice.

(3) The revocation of a rule and regulation under this subsection shall be effective 15 days following the date that the notice of such revocation is published in the Kansas register.

Sec. 8. K.S.A. 77-436 is hereby amended to read as follows: 77-436.

(a) There is hereby established a joint committee on administrative rules and regulations consisting of five senators and seven members of the house of representatives. The five senator members shall be appointed as follows: Three by the committee on organization, calendar and rules and two by the minority leader of the senate. The seven representative members shall be appointed as follows: Four by the speaker of the house of representatives and three by the minority leader of the house of representatives. The committee on organization, calendar and rules shall designate a senator member to be chairperson or vice-chairperson of the joint committee as provided in this section. The speaker of the house of representatives shall designate a representative member to be chairperson or vice-chairperson of the joint committee as provided in this section. The minority leader of the senate shall designate a senator member to be the ranking minority member of the joint committee as provided in this section. The minority leader of the house of representatives shall designate a representative member to be the ranking minority member of the joint committee as provided in this section.

(b) A quorum of the joint committee on administrative rules and regulations shall be seven. All actions of the committee may be taken by a majority of those present when there is a quorum. In odd-numbered years the chairperson and the ranking minority member of the joint committee shall be the designated members of the house of representatives from the convening of the regular session in that year until the convening of the regular session in the next ensuing year. In even-numbered years the chairperson and the ranking minority member of the joint committee shall be the designated members of the senate from the convening of the regular session of that year until the convening of the regular session of

the next ensuing year. The vice-chairperson shall exercise all of the powers of the chairperson in the absence of the chairperson.

(c) *Except for rules and regulations revoked pursuant to K.S.A. 77-426(d), and amendments thereto*, all proposed rules and regulations shall be reviewed by the joint committee on administrative rules and regulations during the public comment period required by K.S.A. 77-421, and amendments thereto. The committee may introduce such legislation as it deems necessary in performing its functions of reviewing administrative rules and regulations.

(d) The committee shall issue a report to the legislature following each meeting making comments and recommendations and indicating concerns about any proposed rule and regulation. Such report shall be made available to each agency that had proposed rules and regulations reviewed at such meeting during the agency's public comment period for such proposed rules and regulations required by K.S.A. 77-421, and amendments thereto. If having a final report completed by the public hearing required by K.S.A. 77-421, and amendments thereto, is impractical, a preliminary report shall be made available to the agency containing the committee's comments. The preliminary report shall be incorporated into the final report and made available to each agency.

(e) *Except for rules and regulations revoked pursuant to K.S.A. 77-426(d), and amendments thereto*, all rules and regulations filed each year in the office of secretary of state shall be subject to review by the joint committee. The committee may introduce such legislation as it deems necessary in performing its functions of reviewing administrative rules and regulations.

(f) The joint committee shall meet on call of the chairperson as authorized by the legislative coordinating council. All such meetings shall be held in Topeka, unless authorized to be held in a different place by the legislative coordinating council. Members of the joint committee shall receive compensation, travel expenses and subsistence expenses or allowances as provided in K.S.A. 75-3212, and amendments thereto, when attending meetings of such committee authorized by the legislative coordinating council.

(g) Amounts paid under authority of this section shall be paid from appropriations for legislative expense and vouchers therefor shall be prepared by the director of legislative administrative services and approved by the chairperson or vice-chairperson of the legislative coordinating council.

Sec. 9. K.S.A. 77-416, 77-420, 77-420a, 77-421, 77-422, 77-426 and 77-436 are hereby repealed.

Sec. 10. This act shall take effect and be in force from and after its publication in the Kansas register.

Approved April 14, 2022.

Published in the *Kansas Register* April 28, 2022.

CHAPTER 62

HOUSE BILL No. 2109

AN ACT concerning records; relating to personal information about affiliation with certain nonprofit organizations; prohibiting a public agency from disclosing information related to such affiliation and providing exemptions; relating to disclosure of records under the open records act; continuing in existence certain exceptions to disclosure; amending K.S.A.40-2,203 and 40-3805 and K.S.A. 2021 Supp. 9-2216a, 22-4620, 50-1124 and 50-1128 and repealing the existing sections; also repealing K.S.A. 40-6011.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. (a) A public agency shall not:

(1) Require an individual to provide the public agency with personal information or compel the release of personal information;

(2) require a nonprofit organization to provide the public agency with personal information or compel the release of personal information;

(3) release or publicly disclose personal information in the possession of such public agency; or

(4) request or require a current or prospective contractor or grant recipient to provide the public agency with a list of nonprofit organizations to which the contractor or grantee has provided financial or nonfinancial support.

(b) Personal information shall be confidential and shall not be subject to the open records act, K.S.A. 45-215 et seq., and amendments thereto. The provisions of this subsection shall expire on July 1, 2027, unless the legislature reviews and reenacts this provision pursuant to K.S.A. 45-229, and amendments thereto.

(c) The provisions of this section shall not apply to:

(1) A report or disclosure required by article 41 of chapter 25 or article 2 of chapter 46 of the Kansas Statutes Annotated, and amendments thereto;

(2) a valid warrant issued for personal information by a court of competent jurisdiction;

(3) a lawful request for discovery of personal information in litigation if the person making such request:

(A) Demonstrates a compelling need for the personal information by clear and convincing evidence; and

(B) obtains a protective order barring disclosure of the personal information to any person not named in the litigation;

(4) admission of personal information as relevant evidence before a court of competent jurisdiction, except that no court shall disclose personal information unless such court makes a finding of good cause;

(5) a national securities association as defined in section 15A of the securities exchange act of 1934, as in effect on July 1, 2022, or any regulations adopted thereunder;

(6) any adult care home as defined in K.S.A. 39-923, and amendments thereto;

(7) information provided to the attorney general as part of the registration process, or collected as part of the enforcement of, the charitable organizations and solicitations act, K.S.A. 17-1759 et seq., and amendments thereto, except that information that directly identifies an individual as a donor of financial support to a nonprofit organization shall not be disclosed without the consent of the donor;

(8) information provided to the attorney general by any person, including, but not limited to, a consumer, supplier or related witness, collected as part of the enforcement of the Kansas consumer protection act, K.S.A. 50-623 et seq., and amendments thereto, except that information that directly identifies an individual as a donor of financial support to a nonprofit organization shall not be disclosed without the consent of the donor;

(9) information concerning the staff, officers and the individuals designated to control funding needed to process and verify a request for a grant of funds from or a contract for goods or services with any public agency, except that information that directly identifies an individual as a donor of financial support to a nonprofit organization shall not be disclosed;

(10) a request by the department of revenue, the Kansas bureau of investigation or the Kansas legislature for information required for an audit, background check, examination or investigation, except that such information shall only be used in connection with the specific audit, background check, examination or investigation and for any related proceedings; and

(11) the collection of information related to boards of directors, officers, resident agents, incorporators and large capital holders of an organization in any report or disclosure required by any statute to be made with the secretary of state with the intent that it becomes a public record, except that information that directly identifies an individual as a donor of financial support to a nonprofit organization shall not be disclosed.

(d) (1) A person alleging a violation of this section may bring a civil action for injunctive relief or damages. Damages awarded pursuant to this section shall be not less than \$7,500 for each violation of this section.

(2) The court may award reasonable attorney fees and costs to the complainant when the court determines such award is appropriate.

(3) A person who knowingly violates the provisions of this section is guilty of a class C nonperson misdemeanor.

(e) For the purposes of this section:

(1) "Nonprofit organization" means an organization that is exempt from federal income taxation pursuant to section 501(c) of the federal

internal revenue code, has submitted an application with the internal revenue service for recognition of an exemption under section 501(c) of the federal internal revenue code or is a not-for-profit business entity organized under the Kansas general corporation code;

(2) “personal information” means any list, record, register, registry, roll, roster or other compilation of data of any kind that directly or indirectly identifies a person as a member, supporter or volunteer of or donor of financial or nonfinancial support to a nonprofit organization; and

(3) “public agency” means the state or any political or taxing subdivision of the state or any office, agency or instrumentality thereof.

(f) This section shall be known and may be cited as the charitable privacy act.

Sec. 2. K.S.A. 2021 Supp. 9-2216a is hereby amended to read as follows: 9-2216a. (a) Each licensee shall annually, on or before April 1, file a written report with the commissioner containing the information that the commissioner may reasonably require concerning the licensee’s business and operations during the preceding calendar year. The report shall be made in the form prescribed by the commissioner, which may include reports filed with the nationwide mortgage licensing system and registry. Any licensee who fails to file the report required by this section with the commissioner by April 1 shall be subject to a late penalty of \$100 for each day after April 1 the report is delinquent, but in no event shall the aggregate of late penalties exceed \$5,000. The commissioner may relieve any licensee from the payment of any penalty, in whole or in part, for good cause. The filing of the annual written report required under this section shall satisfy any other reports required of a licensee under this act.

(b) Information contained in the annual report shall be confidential and may be published only in composite form. ~~The provisions of this subsection shall expire on July 1, 2022, unless the legislature reviews and reenacts this provision prior to July 1, 2022.~~

Sec. 3. K.S.A. 2021 Supp. 22-4620 is hereby amended to read as follows: 22-4620. (a) All law enforcement agencies in this state shall adopt a detailed, written policy requiring electronic recording of any custodial interrogation conducted at a place of detention.

(b) All local law enforcement agencies in this state shall collaborate with the county or district attorney in the appropriate jurisdiction regarding the contents of written policies required by this section.

(c) Policies adopted pursuant to this section shall be made available to all officers of such agency and shall be available for public inspection during normal business hours.

~~(d) Policies adopted pursuant to this section shall be implemented by all Kansas law enforcement agencies on or before July 1, 2018.~~

(e) Policies adopted pursuant to this section shall include the following:

(1) A requirement that an electronic recording shall be made of an entire custodial interrogation at a place of detention when the interrogation concerns a homicide or a felony sex offense;

(2) a requirement that if the defendant elects to make or sign a written statement during the course of a custodial interrogation concerning a homicide or a felony sex offense, the making and signing of the statement shall be electronically recorded;

(3) a statement of exceptions to the requirement to electronically record custodial interrogations, including, but not limited to:

(A) An equipment malfunction preventing electronic recording of the interrogation in its entirety, and replacement equipment is not immediately available;

(B) the officer, in good faith, fails to record the interrogation because the officer inadvertently fails to operate the recording equipment properly, or without the officer's knowledge the recording equipment malfunctions or stops recording;

(C) the suspect affirmatively asserts the desire to speak with officers without being recorded;

(D) multiple interrogations are taking place, exceeding the available electronic recording capacity;

(E) the statement is made spontaneously and not in response to an interrogation question;

(F) the statement is made during questioning that is routinely asked during the processing of an arrest of a suspect;

(G) the statement is made at a time when the officer is unaware of the suspect's involvement in an offense covered by the policy;

(H) exigent circumstances make recording impractical;

(I) at the time of the interrogation, the officer, in good faith, is unaware of the type of offense involved; and

(J) the recording is damaged or destroyed, without bad faith on the part of any person or entity in control of the recording; and

(4) requirements pertaining to the retention and storage requirements of the electronic recording.

~~(f)(e)~~ (1) During trial, the officer may be questioned pursuant to the rules of evidence regarding any violation of the policies adopted pursuant to this section.

(2) Lack of an electronic recording shall not be the sole basis for suppression of the interrogation or confession.

~~(g)(f)~~ Every electronic recording of any statement as required by this section shall be confidential and exempt from the Kansas open records act in accordance with K.S.A. 45-229, and amendments thereto. ~~The provisions of this subsection shall expire on July 1, 2022, unless the legisla-~~

ture reviews and reenacts this provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2022.

~~(h) The following words and phrases, (g)~~ As used in this section, ~~are defined as follows:~~

(1) “Custodial interrogation” means questioning of a person to whom warnings given pursuant to *Miranda v. Arizona*, 384 U.S. 436 (1966), are required to be given;

(2) “place of detention” means a fixed location under the control of a Kansas law enforcement agency where individuals are questioned about alleged crimes; and

(3) “electronic recording” means audio or audiovisual recording. An audiovisual recording is preferred.

~~(i) This section shall take effect on and after July 1, 2017.~~

Sec. 4. K.S.A. 40-2,203 is hereby amended to read as follows: 40-2,203.

(a) (1) Nothing in this section shall be construed to prescribe or impose corporate governance standards and internal procedures beyond those required by state corporate law. However, nothing in this section shall be construed to limit the commissioner’s authority, or the rights and obligations of third parties under K.S.A. 40-222, and amendments thereto.

(2) The requirements of this section shall apply to all insurers domiciled in this state.

(b) As used in this section:

(1) “Commissioner” means the commissioner of insurance of the state of Kansas.

(2) “Corporate governance annual disclosure” or “CGAD” means a confidential report filed by the insurer or insurance group made in accordance with the requirements of this section.

(3) “Insurance group” means those insurers and affiliates included within an insurance holding company system as defined in K.S.A. 40-3302, and amendments thereto.

(4) “Insurer” ~~shall have the same meaning as set forth~~ *means the same as defined* in K.S.A. 40-3302, and amendments thereto, except that ~~it shall~~ “insurer” does not include agencies, authorities or instrumentalities of the United States, its possessions and territories, the Commonwealth of Puerto Rico, the District of Columbia or a state or political subdivision of a state.

(5) “NAIC” means the national association of insurance commissioners.

(6) “ORSA summary report” means the report filed in accordance with risk management and own risk and solvency assessment act.

(c) (1) An insurer or the insurance group of which the insurer is a member shall, ~~no~~ not later than June 1 of each calendar year, submit to the commissioner a CGAD that contains the information described in subsection (e). Notwithstanding any request from the commissioner

made pursuant to subsection (c)(3), if an insurer is a member of an insurance group, the insurer shall submit the report required by this section to the commissioner of the lead state for the insurance group, in accordance with the laws of the lead state, as determined by the procedures outlined in the most recent financial analysis handbook adopted by the national association of insurance commissioners.

(2) The CGAD must include a signature of the insurer or insurance group's chief executive officer or corporate secretary attesting to the best of that individual's belief and knowledge that the insurer has implemented the corporate governance practices and that a copy of the disclosure has been provided to the insurer's board of directors or the appropriate committee of the insurer thereof.

(3) An insurer not required to submit a CGAD under this section shall do so upon the commissioner's request.

(4) For purposes of completing the CGAD, the insurer or insurance group may provide information regarding corporate governance at the ultimate controlling parent level, an intermediate holding company level or the individual legal entity level or both, depending upon how the insurer or insurance group has structured its system of corporate governance. The insurer or insurance group is encouraged to make the CGAD disclosures at the level at which the insurer's or insurance group's risk appetite is determined, or at which the earnings, capital, liquidity, operations and reputation of the insurer are overseen collectively and at which the supervision of those factors are coordinated and exercised, or the level at which legal liability for failure of general corporate governance duties would be placed. If the insurer or insurance group determines the level of reporting based on these criteria, it shall indicate which of the three criteria was used to determine the level of reporting and explain any subsequent changes in level of reporting.

(5) The review of the CGAD and any additional requests for information shall be made through the lead state as determined by the procedures within the most recent financial analysis handbook referenced in subsection (c)(1).

(6) Insurers providing information substantially similar to the information required by this section in other documents provided to the commissioner, including proxy statements filed in conjunction with other state or federal filings or other requirements provided to the commissioner, shall not be required to duplicate that information in the CGAD, but shall only be required to cross reference the document in which the information is included.

(d) The commissioner is hereby authorized to adopt any rules and regulations as are necessary to carry out the provisions of this section. ~~Such rules and regulations shall be adopted no later than January 1, 2019.~~

(e) (1) The insurer or insurance group shall have discretion over the responses to the CGAD inquiries, provided the CGAD shall contain the material information necessary to permit the commissioner to gain an understanding of the insurer's or group's corporate governance structure, policies and practices. The commissioner may request additional information deemed material and necessary to provide the commissioner with a clear understanding of the corporate governance policies, the reporting or information system or controls implementing those policies.

(2) The CGAD shall be prepared consistent with all department of insurance rules and regulations and documentation. Documentation supporting information shall be maintained and made available upon the commissioner's request.

(f) (1) Documents, materials or other information, including the CGAD, in the possession or control of the department of insurance that are obtained, created by or disclosed to the commissioner or any other person under this section, are recognized by this state as being proprietary and containing trade secrets. All such documents, materials or other information shall be confidential by law and privileged, and shall not be subject to the open records act, K.S.A. 45-215 et seq., and amendments thereto, shall not be subject to subpoena and shall not be subject to discovery or admissible in evidence in any private civil action. However, the commissioner is authorized to use the documents, materials or other information in the furtherance of any regulatory or legal action brought as part of the commissioner's official duties. The commissioner shall not otherwise make the documents, materials or other information public without the prior written consent of the insurer. Nothing in this section shall be construed to require the written consent of the insurer before the commissioner may share or receive confidential documents, materials or other CGAD-related information pursuant to subsection (f)(3) to assist in the performance of the commissioner's regular duties. ~~The provisions of this subsection shall expire on July 1, 2022, unless the legislature reviews and reenacts this provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2022.~~

(2) Neither the commissioner nor any person who received documents, materials or other CGAD-related information, through examination or otherwise, while acting under the authority of the commissioner, or with whom such documents, materials or other information are shared pursuant to this section, shall be permitted or required to testify in any private civil action concerning any confidential documents, materials or information subject to subsection (f)(1).

(3) In order to assist in the performance of the commissioner's regulatory duties, the commissioner:

(A) May, upon request, share documents, materials or other CGAD-related information, including the confidential and privileged documents,

materials or information subject to subsection (c)(1), including proprietary and trade secret documents and materials with other state, federal and international financial regulatory agencies, including members of any supervisory college as defined in K.S.A. 40-3308, and amendments thereto, with the NAIC and with third-party consultants pursuant to subsection (g), provided that the recipient agrees in writing to maintain the confidentiality and privileged status of the CGAD-related documents, material or other information and has verified in writing the legal authority to maintain confidentiality; and

(B) may receive documents, materials or other CGAD-related information, including otherwise confidential and privileged documents, materials or information, including proprietary and trade secret information or documents, from regulatory officials of other state, federal and international financial regulatory agencies, including members of any supervisory college as defined in the insurance holding company act and from the NAIC, and shall maintain as confidential or privileged any documents, materials or information received with notice or the understanding that it is confidential or privileged under the laws of the jurisdiction that is the source of the document, material or information.

(4) The sharing of information and documents by the commissioner pursuant to this section shall not constitute a delegation of regulatory authority or rulemaking, and the commissioner is solely responsible for the administration, execution and enforcement of the provisions of this section.

(5) No waiver of any applicable privilege or claim of confidentiality in the documents, proprietary and trade secret materials or other CGAD-related information shall occur as a result of disclosure of such CGAD-related information or documents to the commissioner under this section or as a result of sharing as authorized in this section.

(g) (1) The commissioner may retain, at the insurer's expense, third-party consultants, including attorneys, actuaries, accountants and other experts not otherwise a part of the commissioner's staff as may be reasonably necessary to assist the commissioner in reviewing the CGAD and related information or the insurer's compliance with this section.

(2) Any person retained under subsection (g)(1) shall be under the direction and control of the commissioner and shall act in a purely advisory capacity.

(3) The NAIC and third-party consultants shall be subject to the same confidentiality standards and requirements as the commissioner.

(4) As part of the retention process, a third-party consultant shall verify to the commissioner, with notice to the insurer, that it is free from a conflict of interest and that it has internal procedures in place to monitor compliance with a conflict and to comply with the confidentiality standards and requirements of this section.

(5) A written agreement with NAIC consultants or third-party consultants, or a combination of the same, governing sharing and use of information provided pursuant to this section shall contain the following provisions and expressly require the written consent of the insurer prior to making the information public as provided under this section:

(A) Specific procedures and protocols for maintaining the confidentiality and security of CGAD-related information shared with the NAIC or a third-party consultant pursuant to this section;

(B) procedures and protocols for sharing by the NAIC only with other state regulators from states in which the insurance group has domiciled insurers. The agreement shall provide that the recipient agrees in writing to maintain the confidentiality and privileged status of the CGAD-related documents, materials or other information and has verified in writing the legal authority to maintain confidentiality;

(C) a provision specifying that ownership of the CGAD-related information shared with the NAIC or a third-party consultant remains with the department of insurance and the NAIC or third-party consultant's use of the information is subject to the direction of the commissioner;

(D) a provision that prohibits the NAIC or a third-party consultant from storing the information shared pursuant to this act in a permanent database after the underlying analysis is completed;

(E) a provision requiring the NAIC or third-party consultant to provide prompt notice to the commissioner and to the insurer or insurance group regarding any subpoena, request for disclosure or request for production of the insurer's CGAD-related information; and

(F) a requirement that the NAIC or a third-party consultant consent to intervention by an insurer in any judicial or administrative action in which the NAIC or a third-party consultant may be required to disclose confidential information about the insurer shared with the NAIC or a third-party consultant pursuant to this section.

(h) Any insurer failing, without just cause, to timely file the CGAD as required in this section may be required, after notice and hearing, to pay a penalty for each day's delay, to be recovered by the commissioner, in accordance with any rules and regulations adopted by the commissioner. The commissioner shall remit all moneys received to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the fees and penalties fund.

(i) If any provision of this section other than subsection (f), or the application thereof to any person or circumstance, is held invalid, such determination shall not affect the provisions or applications of this section, which can be given effect without the invalid provision or application, and

to that end the provisions of this section, with the exception of subsection (f), are severable.

(j) The first filing of the CGAD shall be in 2018.

~~(k) The provisions of this section shall be effective on and after January 1, 2018.~~

Sec. 5. K.S.A. 40-3805 is hereby amended to read as follows: 40-3805.

(a) Every administrator shall maintain and make available to the payor complete books and records of all transactions performed on behalf of the payor. Such books and records shall be maintained in accordance with prudent standards of insurance record keeping and shall be maintained for a period of not less than five years from the date of their creation.

(b) The commissioner of insurance shall have access to such books and records for the purposes of examination, audit and inspection. Any documents, materials or other information in the possession or control of the commissioner that are furnished by a TPA, payor, insurance producer or an employee or agent thereof acting on behalf of the TPA, payor or insurance producer or obtained in an investigation, shall be confidential by law and privileged, shall not be subject to the open records act, shall not be subject to subpoena, and shall not be subject to discovery or admissible in evidence in any private civil action. The commissioner is authorized to use such documents, materials or other information in the furtherance of any regulatory or legal action brought as a part of the commissioner's official duties. ~~The provisions of this paragraph shall expire on July 1, 2022, unless the legislature reviews and reenacts this provision prior to July 1, 2022.~~

(c) Neither the commissioner nor any person who receives documents, materials or other information while acting under the authority of the commissioner shall be permitted or required to testify in any private civil action concerning confidential documents, materials or information subject to subsection (b).

(d) In order to assist in the performance of the commissioner's duties, the commissioner may:

(1) Share documents, materials or other information, including the confidential and privileged documents, materials or other information subject to this section, with other state, federal and international regulatory agencies, the NAIC, its affiliates or subsidiaries and with state, federal and international law enforcement authorities, provided the recipient agrees to maintain the confidentiality and privileged status of the document, material or other information; and

(2) may receive documents, materials or information, including otherwise confidential and privileged documents, materials or information, from the NAIC, its affiliates or subsidiaries and from regulatory and law enforcement officials of other foreign or domestic jurisdictions, and shall maintain as confidential or privileged any document, material or infor-

mation received with notice or the understanding that it is confidential or privileged under the laws of the jurisdiction that is the source of the document, material or information.

(e) No waiver of any applicable privilege or claim of confidentiality in the documents, materials or information shall occur as a result of disclosure to the commissioner under this section.

(f) Nothing in this section shall prohibit the commissioner from releasing final, adjudicated actions, including for cause terminations that are open to public inspection pursuant to the open records act, to a database or other clearinghouse service maintained by the NAIC, its affiliates or subsidiaries.

(g) The payor shall own the records generated by the administrator pertaining to the payor, however, the administrator shall retain the right to continuing access to books and records to permit the administrator to fulfill all of its contractual obligations to insured parties, claimants and the payor, and its obligations to maintain records available to the commissioner.

(h) In the event the payor and the administrator cancel their agreement, notwithstanding the provisions of subsection (a), the administrator may, by written agreement with the payor, transfer all records to a new administrator rather than retain them for five years. In such cases, the new administrator shall acknowledge, in writing, that it is responsible for retaining the records of the prior administrator as required in subsection (a).

Sec. 6. K.S.A. 2021 Supp. 50-1124 is hereby amended to read as follows: 50-1124. (a) (1) On or before April 1, of each year, each licensee shall file with the commissioner an annual report relating to credit services organization business conducted by the licensee during the preceding calendar year. The annual report shall be on a form prescribed by the commissioner.

(2) The information contained in the annual report shall be confidential and may be published only in composite form. ~~The provisions of this paragraph shall expire on July 1, 2022, unless the legislature reviews and reenacts the provision prior to July 1, 2022.~~

(b) Within 15 calendar days of any of the following events, a licensee shall file a written report with the commissioner describing the event and its expected impact on the licensee's business:

- (1) The filing for bankruptcy or reorganization by the licensee;
- (2) the institution of a revocation, suspension or other proceeding against the licensee by a governmental authority that is related to the licensee's credit services organization business in any state;
- (3) a felony conviction of the licensee or any of its owners, officers, principals, directors, partners, members or debt management counselors;
- (4) a change in the licensee's name or legal entity status; and

(5) the addition or loss of any owner, officer, partner or director.

(c) If a licensee fails to make any report required by this section to the commissioner, the commissioner may require the licensee to pay a late penalty of \$100 for each day the report is overdue.

Sec. 7. K.S.A. 2021 Supp. 50-1128 is hereby amended to read as follows: 50-1128. This act shall be administered by the commissioner. In addition to other powers granted by this act, the commissioner, within the limitations provided by law, may exercise the following powers:

(a) Adopt, amend and revoke rules and regulations as necessary to carry out the intent and purpose of this act.

(b) Make any investigation and examination of the operations, books and records of a credit services organization, as the commissioner deems necessary to aid in the enforcement of this act.

(1) The commissioner, or the commissioner's designee, shall have free and reasonable access to the offices, places of business and all records of the licensee that relate to the debt management or credit services organization business. The commissioner may designate persons, including comparable officials of the state in which the records are located, to inspect the records on the commissioner's behalf.

(2) The commissioner may charge reasonable costs of investigation, examination and administration of this act, to be paid by the applicant or licensee, in such amounts as the commissioner may determine to be sufficient to meet the budget requirements of the commissioner for each fiscal year. The commissioner may maintain an action in any court to recover such costs.

(c) To order any licensee or person to cease any activity or practice which the commissioner deems to be deceptive, dishonest, or a violation of this act, or of other state or federal law, or unduly harmful to the interests of the public.

(d) (1) Exchange any information regarding the administration of this act with any agency of the United States or any state which regulates the applicant or licensee or administers statutes, rules and regulations or programs related to debt management or credit services organization laws.

(2) Examination reports and correspondence regarding such reports made by the commissioner or the commissioner's designees shall be confidential. The commissioner may release examination reports and correspondence regarding the reports in connection with a disciplinary proceeding conducted by the commissioner, a liquidation proceeding or a criminal investigation or proceeding. Additionally, the commissioner may furnish to federal or other state regulatory agencies or any officer or examiner thereof, a copy of any or all examination reports and correspondence regarding the reports made by the commissioner or the commis-

sioner's designees. ~~The provisions of this paragraph shall expire on July 1, 2022, unless the legislature reviews and reenacts this provision prior to July 1, 2022.~~

(e) Disclose to any person or entity that an applicant's or licensee's application or license has been denied, suspended, revoked or refused renewal.

(f) Require or permit any person to file a written statement, under oath or otherwise as the commissioner may direct, setting forth all the facts and circumstances concerning any apparent violation of this act, any rule and regulation promulgated hereunder, or any order issued pursuant to this act.

(g) Receive, as a condition in settlement of any investigation or examination, a payment designated for consumer education to be expended for such purpose as directed by the commissioner.

(h) Delegate the authority to sign any orders, official documents or papers issued under or related to this act to the deputy of consumer and mortgage lending in the office of the state bank commissioner.

(i) Require fingerprinting of any licensee, agent acting on behalf of a licensee or other person as deemed appropriate by the commissioner, or the commissioner's designee. The commissioner, or commissioner's designee, may submit such fingerprints to the Kansas bureau of investigation, federal bureau of investigation or other law enforcement agency for the purposes of verifying the identity of such persons and obtaining records of their criminal arrests and convictions. For purposes of this section and in order to reduce the points of contact that the federal bureau of investigation may have to maintain with the individual states, the commissioner may use the nationwide mortgage licensing system and registry as a channeling agent for requesting information from and distributing information to the department of justice or any governmental agency.

(j) Use the nationwide mortgage licensing system and registry as a channeling agent for requesting and distributing information regarding credit services organization licensing to and from any source so directed by the commissioner.

(k) Establish relationships or contracts with the nationwide mortgage licensing system and registry or other entities to collect and maintain records and process transaction fees or other fees related to applicants, licensees or other persons subject to this act, and to take other such actions as may be reasonably necessary to participate in the nationwide mortgage licensing system and registry.

(l) Charge, establish and collect from licensees such fees as are necessary and in such amounts as the commissioner may determine to be sufficient to meet the expense requirements of the commissioner in administering this act.

(m) Seize and distribute a licensee's trust account funds to protect consumers and the public interest.

(n) For the purpose of any examination, investigation or proceeding under this act, the commissioner or the commissioner's designee may administer oaths and affirmations, subpoena witnesses, compel such witnesses' attendance, adduce evidence and require the production of any matter which is relevant to the examination or investigation, including the existence, description, nature, custody, condition and location of any books, documents or other tangible things and the identity and location of persons having knowledge of relevant facts, or any other matter reasonably calculated to lead to the discovery of relevant information or items.

(o) To enter into any informal agreement with any person for a plan of action to address violations of this act. The adoption of an informal agreement authorized by this subsection shall not be subject to the provisions of the Kansas administrative procedure act or the Kansas judicial review act. Any informal agreement authorized by this subsection shall not be considered an order or other agency action, and shall be considered confidential examination material pursuant to K.S.A. 50-1128(d), and amendments thereto. All such examination material shall be confidential by law and privileged, shall not be subject to the open records act, shall not be subject to subpoena and shall not be subject to discovery or admissible in evidence in any private civil action. ~~The provisions of this subsection shall expire on July 1, 2022, unless the legislature reviews and reenacts this provision prior to July 1, 2022.~~

(p) Issue, amend and revoke written administrative guidance documents in accordance with the applicable provisions of the Kansas administrative procedure act.

Sec. 8. K.S.A. 40-2,203, 40-3805 and 40-6011 and K.S.A. 2021 Supp. 9-2216a, 22-4620, 50-1124 and 50-1128 are hereby repealed.

Sec. 9. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 14, 2022.

CHAPTER 63

Senate Substitute for HOUSE BILL No. 2239
(Amended by Chapter 98)

AN ACT concerning taxation; relating to income tax; establishing a checkoff for contributions to the Kansas historic site fund; establishing the salt parity act to allow pass-through entities to elect to pay state income tax at the entity level; providing a credit for contributions to community colleges and technical colleges; providing tax credits for graduates of aerospace and aviation-related educational programs and employers of program graduates; providing a tax credit for school and classroom supplies purchased by teachers; providing homestead property tax refunds from the income tax refund fund to certain persons based on the increase in property tax over the base year property tax amount; expanding eligibility, amount and transferability of the research and development tax credit; providing a credit for qualified railroad track maintenance expenditures of short line railroads and associated rail siding owners or lessees; providing for an additional personal exemption for 100% disabled veterans; relating to property tax; establishing a revenue neutral rate complaint process for tax levies; authorizing the county clerk to limit the amount of ad valorem taxes to be levied in certain circumstances; establishing a deadline for budgets to be filed with the director of accounts and reports; requiring roll call votes and publication of information; relating to classification and valuation; classifying certain agritourism activities and zoos as land devoted to agricultural use; classifying land devoted to agriculture that is subject to the federal grassland conservation reserve program as grassland; establishing a property tax exemption for antique utility trailers; allowing for the proration of value when certain personal property is acquired or sold prior to September 1 of any tax year; providing for the exemption of inventory and work-in-progress machinery and equipment for telecommunications machinery and equipment; increasing the extent of exemption for residential property from the statewide school levy; providing for abatement or credit of property tax for buildings and improvements destroyed or substantially destroyed by natural disaster; relating to sales and compensating use tax; providing an exemption for certain fencing and for reconstructing, repairing or replacing certain fencing damaged or destroyed by a wildfire, flood, tornado or other natural disaster; excluding separately stated delivery charges from sales or selling price; removing the expiration on manufacturer cash rebates on motor vehicles; providing countywide retailers' sales tax authority for Wilson county; requiring disclosure of distribution of revenues on countywide retailers' sales tax ballot proposals; validating the election held to approve a retailers' sales tax levy by the city of Latham; relating to rural opportunity zones; extending the time period for eligibility in the loan repayment program and the income tax credit; enacting the Gage park improvement authority act; providing for the creation of the Gage park improvement authority; permitting a sales tax within the boundaries of Shawnee county; amending K.S.A. 79-224, 79-1476, 79-1613, 79-2930, 79-3220, 79-32,111, 79-32,121, 79-32,182b, 79-32,261, 79-3606d, 79-4502, 79-4508 and 79-4509 and K.S.A. 2021 Supp. 12-187, 12-189, 12-192, 74-50,223, 79-201x, 79-2988, 79-32,267 and 79-3602 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. (a) Sections 1 through 6, and amendments thereto, shall be known and may be cited as the salt parity act.

(b) The legislature finds and declares that the deductibility of state income taxes should be the same for C corporations, S corporations and partnerships.

(c) The provisions of this act shall be a part of and supplemental to the Kansas income tax act.

New Sec. 2. As used in sections 1 through 6, and amendments thereto, unless the context otherwise requires:

(a) “Act” means the provisions of sections 1 through 6, and amendments thereto.

(b) “C corporation” means a corporation other than an S corporation.

(c) “Electing pass-through entity” means, with respect to a taxable period, an S corporation or partnership that has made the election under section 3, and amendments thereto, with respect to the taxable period.

(d) “Electing pass-through entity owner” means, with respect to an S corporation, a shareholder of the S corporation and, with respect to a partnership, a partner in the partnership, except that a partner does not include a C corporation.

(e) “Income attributable to the state” means, with respect to an S corporation or partnership, the portion of the items of income, gain, loss or deduction of the S corporation or partnership apportioned or allocated to this state in accordance with the provisions of K.S.A. 79-3271 through 79-3293b, and amendments thereto.

(f) “Income not attributable to the state” means all items of income, gain, loss or deduction of an electing pass-through entity other than income attributable to the state.

(g) “S corporation” means a corporation having an election in effect under subchapter S of the federal internal revenue code.

(h) “Taxable period” means any taxable year or portion of a taxable year during which a corporation is an S corporation or a noncorporate entity is a partnership.

New Sec. 3. Notwithstanding K.S.A. 79-32,129 and 79-32,139, and amendments thereto, and except as provided in subsection (b), for taxable years commencing on or after January 1, 2022, an S corporation or partnership may annually elect to be subject to tax at the entity level for the taxable period. The S corporation or partnership shall make the election on the return filed by such S corporation or partnership under K.S.A. 79-3220 and 79-3221, and amendments thereto. The filing of such return shall be binding on all electing pass-through entity owners.

New Sec. 4. (a) With respect to any taxable period for which it has made the election under section 3, and amendments thereto, an electing pass-through entity shall be subject to a tax in an amount equal to 5.7% of the sum of each resident electing pass-through entity owner’s distributive share of the electing pass-through entity’s income and each nonresident electing pass-through entity owner’s distributive share of income attributable to the state, all as determined pursuant to K.S.A. 79-32,130, 79-32,131, 79-32,133 and 79-32,139, and amendments thereto.

(b) An electing pass-through entity shall be treated as a corporation under K.S.A. 79-32,101, and amendments thereto, with respect to the tax

imposed under this act, except that K.S.A. 79-32,107, and amendments thereto, shall not apply during the first taxable period for which this act is applicable.

(c) Any credit allowed pursuant to article 32 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, except K.S.A. 79-32,111(a), and amendments thereto, that is attributable to the activities of an electing pass-through entity in the taxable year shall be claimed by the entity and not passed through to or claimed by the electing pass-through entity owner only for taxable periods when the election is allowed and made by an electing pass-through entity under section 3, and amendments thereto. Notwithstanding any provision to the contrary in article 32 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, any excess income tax credit, net operating loss or other modification may be carried forward on the electing pass-through entity's return but may only be utilized in a year in which the electing pass-through entity has made the election allowed in section 3, and amendments thereto, except that any limitation specified in the specific section for an income tax credit, the net operating loss or any other modification shall apply to the electing pass-through entity. If in a taxable period subsequent to a period in which an election under section 3, and amendments thereto, was made, an election under section 3, and amendments thereto, is not allowed or not made by an electing pass-through entity, any excess income tax credits may be transferred to the electing pass-through entity owners. Any excess income tax credits shall be available to each electing pass-through owner in the same proportion and manner as would have applied without the election under section 3, and amendments thereto, for the taxable period in which each respective income tax credit was generated. All other rights and obligations pertaining to the excess income tax credits shall be transferred to the electing pass-through entity owners.

(d) The provisions of article 32 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, regarding the collection, administration and enforcement of tax shall be applicable to the tax due under this section, and notwithstanding the provisions of K.S.A. 79-32,129 and 79-32,139, and amendments thereto, an electing pass-through entity shall be a taxpayer.

New Sec. 5. (a) Notwithstanding K.S.A. 79-32,129 and 79-32,139, and amendments thereto, electing pass-through entity owners shall not be liable for the tax under this act in their separate or individual capacities. Electing pass-through entity owners subject to Kansas individual income tax shall be entitled to a credit against the tax imposed under K.S.A. 79-32,110, and amendments thereto. The credit shall be equal to the electing pass-through entity owner's direct share of the tax imposed under section 3, and amendments thereto. Subsequent to the application

of all other credits allowed, if any excess credit exists, such amount shall be refundable to the electing pass-through entity owner. The credit allowed to an electing pass-through entity owner under this subsection shall not exceed the direct share of pass-through entity tax reported by such pass-through entity.

(b) Notwithstanding the provisions of this act, the basis in the hands of an electing pass-through entity owner in the interest in the partnership or the stock or indebtedness in the S corporation shall be determined as if the election under section 3, and amendments thereto, had not been made.

New Sec. 6. The secretary of revenue may adopt rules and regulations to require or permit an electing pass-through entity to make returns, set forth information or furnish copies of information as may be deemed necessary to carry out the provisions of this act. The secretary of revenue may adopt such other rules and regulations as may be deemed necessary or expedient in enforcing the provisions of this act.

New Sec. 7. (a) For all tax years commencing after December 31, 2022, each Kansas state individual income tax return form shall contain a designation as follows:

Kansas Historic Site Fund. Check if you wish to donate, in addition to your tax liability, or designate from your refund, ___\$1, ___\$5, ___\$10 or \$_____ to historic site number ____.

(b) For purposes of administration of this section, the director of taxation of the department of revenue shall assign a historic site number to all state-owned historic sites administered by the Kansas state historical society in order for a taxpayer to choose the historic site that will receive the donation. The instructions accompanying the individual income tax return shall include a brief description of all state-owned historic sites administered by the Kansas state historical society and identify each historic site number assigned for purposes of a contribution pursuant to this section.

(c) The director of taxation of the department of revenue shall determine annually the total amount designated for contribution to the Kansas historic site fund pursuant to subsection (a) and shall report such amount to the state treasurer, who shall credit the entire amount thereof to the Kansas historic site fund. Such fund is hereby established in the state treasury and shall be administered by the department of revenue. In the case where donations are made pursuant to subsection (a), the director shall remit the entire amount thereof to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the Kansas historic site fund. All moneys deposited in such fund shall be distributed to the his-

toric sites in accordance with the selections of taxpayers and shall be used for the purpose of the operation, maintenance and preservation of such sites. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of revenue or the secretary's designee.

New Sec. 8. (a) (1) The following described property, to the extent herein specified, is hereby exempt from all property or ad valorem taxes levied under the laws of the state of Kansas: Any antique utility trailer registered pursuant to K.S.A. 8-1,119, and amendments thereto, used exclusively for personal use and not for the production of income.

(2) The term "antique utility trailer" includes only those trailers:

- (A) 35 years or older as determined by the date of manufacture; and
- (B) having an empty weight of 2,000 pounds or less and a gross weight of not more than 8,000 pounds.

(b) The provisions of this section shall apply to all taxable years commencing after December 31, 2022.

New Sec. 9. (a) The value for property tax purposes of any tangible personal property classified for property tax purposes within subclass (6) of class 2 of section 1 of article 11 of the constitution of the state of Kansas that is acquired or sold after January 1 and prior to September 1 of any taxable year shall be equal to the value determined therefor pursuant to K.S.A. 79-1456, and amendments thereto, multiplied by: (1) In the case of a sale, a fraction, the numerator of which is the number of months, or major portion thereof, such property was owned by the record owner thereof during the taxable year in which such property was sold and the denominator of which is 12; and (2) in the case of an acquisition, a fraction, the numerator of which is the number of months, or major portion thereof, remaining in the taxable year after the date of acquisition by the record owner thereof and the denominator of which is 12.

(b) Notice of the acquisition or sale of any such property shall be provided by the record owner thereof to the appropriate county appraiser on or before December 20 of the year of such acquisition or sale. Upon receipt of such notice, and after computation of the value of any such property in accordance with the provision of subsection (a), a notification or revised notification of value shall be mailed to the taxpayer.

(c) Except as provided in subsection (a), tangible personal property classified for property tax purposes within subclass (6) of class 2 of section 1 of article 11 of the constitution of the state of Kansas acquired on or after September 1 of a taxable year shall not be subject to assessment and taxation for such year.

(d) The provisions of this section shall apply to all taxable years commencing after December 31, 2022.

New Sec. 10. As used in sections 10 through 13, and amendments thereto:

(a) “Aerospace” means relating to vehicles or objects for the purpose of suborbital, orbital or space flight, whether for private or public, or civil or defense-related purposes.

(b) “Aviation” means relating to vehicles or objects, except parachutes, for the purpose of controlled flight through the air, regardless of how propelled or controlled, or whether manned or unmanned, whether for private or public, or civil or defense-related purposes.

(c) “Aviation sector” means a private or public organization engaged in the manufacture of aviation or aerospace hardware or software, aviation or aerospace maintenance, aviation or aerospace repair and overhaul, supply of parts to the aviation or aerospace industry, provision of services and support relating to the aviation or aerospace industry, research and development of aviation or aerospace technology and systems, and the education and training of aviation or aerospace personnel.

(d) “Compensation” means payments in the form of contract labor for which the payor is required to provide a federal tax form 1099 to the person paid, wages subject to withholding tax paid to a part-time employee or full-time employee, or salary or other remuneration. “Compensation” does not include employer-provided retirement, medical or healthcare benefits, reimbursement for travel, meals, lodging or any other expense.

(e) “Institution” means a state educational institution, municipal university, institute of technology, community college or technical college, as those terms are defined in K.S.A. 74-3201b, and amendments thereto, or an educational institution, municipal university, institute of technology, community college or technical college within the meaning of those terms as defined in K.S.A. 74-3201b, and amendments thereto, but located in or established under the laws of another state or any other public or private college or university that is accredited by a regional accrediting body, the engineering accreditation commission of the accreditation board for engineering and technology (ABET) or the federal aviation administration.

(f) “Qualified employee” means any person newly employed on a full-time basis by or first contracting with a qualified employer on a full-time basis on or after January 1, 2022, who has been awarded an undergraduate or graduate degree, or a technical degree or certificate from a qualified program by an institution.

(g) “Qualified employer” means a sole proprietorship, general partnership, limited partnership, limited liability company, corporation, other legally recognized business entity or public entity whose principal business activity involves the aviation sector.

(h) “Qualified program” means: (1) A program that has been accredited by the engineering accreditation commission of the accreditation board

for engineering and technology (ABET), the federal aviation administration or a regional accrediting body and that awards an undergraduate or graduate degree; or (2) a program within the meaning of an associate of applied science degree program or career technical education program, within the meaning of those programs as defined in K.S.A. 74-32,407, and amendments thereto, whether a state or out-of-state program that results in the awarding of a degree or certificate that prepares the graduate for gainful employment with a qualified employer.

(i) “Tuition” means the amount paid for enrollment, program specific course fees and instruction in a qualified program that includes both amounts paid during participation in a qualified program or tuition debt upon completion of a qualified program. “Tuition” does not include the cost of books, fees, other than program specific course fees, or room and board.

New Sec. 11. (a) For taxable years beginning after December 31, 2021, a taxpayer who is a qualified employer subject to the tax imposed under the provisions of the Kansas income tax act shall be allowed a credit against the tax for tuition reimbursed to a qualified employee.

(b) The credit may be claimed only if the qualified employee has been awarded an undergraduate or graduate degree, or technical degree or certificate from a qualified program within one year prior to or following the commencement of employment with a qualified employer and may be claimed each year thereafter that the qualified employee remains employed up to the fourth year of employment.

(c) The credit shall be in an amount equal to 50% of the tuition reimbursed during the taxable year for which the credit is claimed to a qualified employee, except that in no event shall the credit exceed 50% of the average annual amount paid by a qualified employee for enrollment and instruction in a qualified program, as determined by the secretary of revenue.

(d) The credit shall be applied against the taxpayer’s income tax liability after all other credits allowed under the income tax act. The credit shall not be refundable and may not be carried forward.

New Sec. 12. (a) For taxable years beginning after December 31, 2021, a taxpayer who is a qualified employer subject to the tax imposed under the provisions of the Kansas income tax act shall be allowed a credit against the tax for compensation paid during the taxable year to a qualified employee in the first through fifth consecutive years of employment. Except as otherwise provided, the credit shall be in an amount equal to 10% of the compensation paid.

(b) The credit shall not exceed \$15,000 annually for each qualified employee.

(c) The credit shall be applied against the taxpayer’s income tax liability after all other credits allowed under the income tax act. The credit shall not be refundable and may not be carried forward.

(d) No credit shall be claimed for compensation paid to a qualified employee after the fifth year of employment of the qualified employee.

New Sec. 13. (a) For taxable years beginning after December 31, 2021, a taxpayer who becomes a qualified employee during the taxable year shall be allowed a credit against the tax imposed under the provisions of the Kansas income tax act in an amount equal to \$5,000. The credit shall be deducted from the taxpayer's income tax liability for the taxable year in which the taxpayer is or has been a qualified employee and may be claimed each year the taxpayer achieves the status of a qualified employee for the four taxable years succeeding the taxable year in which the credit was first allowed.

(b) If the amount of the credit allowed a qualified employee is greater than the qualified employee's income tax liability for the taxable year in which the credit is allowed, the amount of the credit which exceeds the tax liability may be carried over for deduction from the qualified employee's income tax liability in the next succeeding taxable year or years, except that the tax credit may not be carried over for deduction after the fourth taxable year succeeding the taxable year in which the credit was first allowed.

New Sec. 14. (a) The secretary of revenue may adopt rules and regulations necessary or convenient for the implementation and administration of sections 10 through 13, and amendments thereto.

(b) The secretary of revenue shall annually submit a written report to the house committee on appropriations and to the senate committee on ways and means beginning with the 2023 legislative session. The report shall contain information regarding the cost and effectiveness of the tax credit program described in sections 10 through 13, and amendments thereto. The secretary also may include in the report any recommendations for changes to law necessary to implement sections 10 through 13, and amendments thereto.

New Sec. 15. No new credits shall be issued or may be earned under the provisions of sections 10 through 13, and amendments thereto, after December 31, 2026.

New Sec. 16. For tax year 2022, and all tax years thereafter, there shall be allowed a credit against the tax liability of a qualified taxpayer imposed under the Kansas income tax act in an amount equal to the expenditures made by the taxpayer for school and classroom supplies during the taxable year. The amount of the credit allowed each taxable year under this section shall not exceed \$250. As used in this section, a "qualified taxpayer" means an individual who is a Kansas resident and is employed as a public or private school teacher.

New Sec. 17. (a) For tax year 2022, and all tax years thereafter, the amount of any claim pursuant to this section shall be computed by de-

ducting the claimant's base year ad valorem tax amount for the homestead from the claimant's homestead ad valorem tax amount for the tax year for which the refund is sought.

(b) As used in this section:

(1) "Base year" means the year in which an individual becomes an eligible claimant and who is also eligible for a claim for refund pursuant to this section. For any individual who would otherwise be an eligible claimant prior to 2021, such base year shall be deemed to be 2021 for the purposes of this act.

(2) "Claimant" means a person who has filed a claim under the provisions of this act and was, during the entire calendar year preceding the year in which such claim was filed for refund under this act, except as provided in K.S.A. 79-4503, and amendments thereto, both domiciled in this state and was: (A) A person who is 65 years of age or older; or (B) a disabled veteran. The surviving spouse of a person 65 years of age or older or a disabled veteran who was receiving benefits pursuant to this section at the time of the claimant's death shall be eligible to continue to receive benefits until such time the surviving spouse remarries.

(c) A claimant shall only be eligible for a claim for refund under this section if:

(1) The claimant's household income for the year in which the claim is filed is \$50,000 or less; and

(2) the appraised value of the claimant's homestead for the base year is \$350,000 or less.

The provisions of K.S.A. 79-4522, and amendments thereto, shall not apply to a claim pursuant to this section. In the case of all tax years commencing after December 31, 2022, the upper limit household income threshold amount prescribed in this subsection shall be increased by an amount equal to such threshold amount multiplied by the cost-of-living adjustment determined under section 1(f)(3) of the federal internal revenue code for the calendar year in which the taxable year commences.

(d) A taxpayer shall not be eligible for a homestead property tax refund claim pursuant to this section if such taxpayer has received for such property for such tax year either: (1) A homestead property tax refund pursuant to K.S.A. 79-4508, and amendments thereto; or (2) the selective assistance for effective senior relief (SAFESR) credit pursuant to K.S.A. 79-32,263, and amendments thereto.

(e) The amount of any claim shall be computed to the nearest \$1.

(f) The provisions of this section shall be a part of and supplemental to the homestead property tax refund act.

New Sec. 18. (a) For taxable years 2022 through 2031, there shall be allowed a credit against the tax liability imposed under the Kansas income tax act in an amount equal to 50% of an eligible taxpayer's qual-

ified railroad track maintenance expenditures paid or incurred during the taxable year.

(b) The amount of the credit allowed each taxable year under this section shall not exceed the product of \$5,000 and the number of miles of railroad track owned or leased within the state of Kansas by the eligible taxpayer as of the close of the taxable year. For rail siding located on or adjacent to a class II or class III railroad in the state of Kansas, the amount of the credit allowed for each taxable year under this section shall not exceed \$5,000 per rail siding owned or leased within the state of Kansas by the eligible taxpayer as of the close of the taxable year. A mile of railroad track may be taken into account only once in each taxable year. The total amount of credits allowed under this section for each taxable year shall not exceed \$8,720,000.

(c) The credits allowed pursuant to this section that are not used by the eligible taxpayer are transferable by written agreement from the eligible taxpayer to any eligible customer or eligible vendor at any time during the five years immediately following the taxable year for which the credits were allowed. The eligible taxpayer originally allowed the credit and the subsequent transferee must jointly file a copy of the written transfer agreement with the Kansas department of revenue within 30 days of the transfer. The written agreement must contain the name, address and taxpayer identification number of the parties to the transfer, the amount of unused credit being transferred, the taxable year the credit was originally allowed to the eligible taxpayer and the taxable year or years for which the credit may be claimed. The eligible taxpayer and subsequent transferee shall also provide any information pertaining to the transfer as may be required by the secretary of revenue to administer and carry out the provisions of this section.

(d) Any unused credit amounts may be carried forward for up to five taxable years immediately following the taxable year for which the credits were allowed. The credit shall not be refundable.

(e) As used in this section:

(1) (A) “Eligible customer” means a business that:

(i) Uses class II or class III short line railroads or railroad-related property, facilities or structures located wholly or partly within the state of Kansas to directly or indirectly transport property, commodities or goods;

(ii) is served by a class II or class III short line railroad; or

(iii) stores railcars on the class II or class III short line railroad.

(B) “Eligible customer” does not include a class I railroad, as defined in 49 C.F.R. § 1201.1-1(a), as in effect on January 1, 2022.

(2) “Eligible taxpayer” means:

(A) Any railroad subject to the Kansas income tax act that is classified by the United States surface transportation board as a class II or

class III railroad, as defined in 49 C.F.R. § 1201.1-1(a), as in effect on January 1, 2022; or

(B) any owner or lessee of rail siding located on or adjacent to a class II or class III railroad in the state of Kansas.

(3) (A) “Eligible vendor” means a person who provides railroad-related services directly to an eligible taxpayer. “Railroad-related services” includes, but is not limited to: Transport of freight by rail; loading and unloading of freight transported by rail; railroad bridge services; railroad track construction; provision of railroad track material or equipment; locomotive or freight train car leasing or rental; maintenance of a railroad’s right-of-way, including vegetation control; and freight train car repair, rehabilitation or remanufacturing repair services.

(B) “Eligible vendor” does not include a class I railroad, as defined in 49 C.F.R. § 1201.1-1(a), as in effect on January 1, 2022.

(4) (A) “Qualified railroad track maintenance expenditures” means gross expenditures for maintenance, reconstruction or replacement of railroad track, including roadbed, bridges, industrial leads and side track, and related track structures to the extent the expenditures are on track located in the state of Kansas and the track was owned or leased by an eligible taxpayer as of January 1, 2022.

(B) “Qualified railroad track maintenance expenditures” does not include expenditures used to generate a federal tax credit or expenditures funded by a state or federal grant.

(f) The secretary of revenue shall annually certify the tax credit amount allowed for each eligible taxpayer. The secretary of revenue may adopt rules and regulations necessary to administer the provisions of this section.

(g) The secretary of transportation may adopt rules and regulations to permit verification of the eligibility of an eligible taxpayer’s expenditures for purposes of the credit.

New Sec. 19. The result of an election that was held on November 2, 2021, for the approval of levying a city retailers’ sales tax of 0.5% for the purpose of providing an adequate level of public services to be levied by the city of Latham, in Butler county, in accordance with K.S.A. 12-187, and amendments thereto, and notice of which was first published 20 days prior to the election, instead of 21 days prior to the election, is hereby validated. The city of Latham may levy the tax in the amount and for the purpose approved by the voters at the election, and the department of revenue shall administer and collect such tax as provided in K.S.A. 12-189, and amendments thereto.

New Sec. 20. (a) Sections 20 through 27, and amendments thereto, shall be known and may be cited as the Gage park improvement authority act.

(b) The powers conferred by this act are for public uses, public recreation and economic development purposes or purposes for which public moneys may be expended.

(c) The powers granted pursuant to this act shall be in addition to any other powers provided by law.

New Sec. 21. As used in sections 20 through 27, and amendments thereto:

(a) “Act” means the Gage park improvement authority act, sections 20 through 27, and amendments thereto.

(b) “Authority” means the Gage park improvement authority established by this act.

(c) “Board,” “county clerk” and “county treasurer” mean, respectively, the board of county commissioners, the county clerk and the county treasurer of Shawnee county.

(d) “County” means Shawnee county.

(e) “Eligible recreational facilities” means:

(1) Gage park and all existing and future Gage park facilities, including, but not limited to, the mini train, carousel and Blaisdell aquatic center;

(2) the Topeka zoo and conservation center and all existing and future Topeka zoo facilities; and

(3) the Kansas children’s discovery center and all existing and future Kansas children’s discovery center facilities.

(f) “Gage park” means Gage park in the city of Topeka in Shawnee county.

(g) “Gage park improvement authority sales tax” means the sales tax authorized by this act.

New Sec. 22. (a) (1) Upon the approval of the electors as provided by this act, the board of county commissioners of Shawnee county may authorize the imposition of a sales tax on all retail sales made within Shawnee county for the sole purpose of funding the acquisition, construction, improvement, equipping, operation, support, maintenance and development of the eligible recreational facilities within the county and the creation of the Gage park improvement authority to administer the proceeds of the sales tax for such purposes. The sales tax may be imposed in increments of 0.05%, except that such sales tax imposed shall not be less than 0.2% and shall not exceed 0.5%.

(2) The board of county commissioners shall determine a time for a hearing upon the question of whether there shall be the creation of a Gage park improvement authority and the imposition of a sales tax. The county clerk shall give notice of the hearing for three consecutive weeks on the county website and in a newspaper of general circulation within the county. The last publication of such notice shall be at least five days before the day of the hearing. The notice shall include a statement that

the hearing is to consider the creation of a Gage park improvement authority and the imposition of a sales tax as authorized by this act. Such notice shall also provide the rate of the sales tax proposed and information that a hearing will be held by the board, including the day and the hour of the hearing and that all persons interested may appear and be heard at the hearing before the board.

(3) If, after the hearing, the board of county commissioners determines that the interests of the people of the county will be advanced by the creation of the Gage park improvement authority and the imposition of the sales tax, the board shall adopt a resolution proposing the creation of the authority and the imposition of the sales tax at the rate determined by the board for submission to the electors of the county as provided by subsection (c). The resolution shall become effective upon adoption by a majority of the electors of the county.

(b) A petition requesting the creation of the Gage park improvement authority and the imposition of the sales tax described by subsection (a)(1) within the county may be presented to the board of county commissioners. The petition shall be signed by not less than the number of qualified electors of Shawnee county equal to 5% of the electors of the county who voted at the last preceding regular county election. The petition shall be filed with the Shawnee county election office at least 60 days prior to the date of an election in an even-numbered year. Upon receipt of the petition with the required number of signatures of qualified electors, the board shall cause an election to be held as provided by subsection (c). The petition shall become effective upon submission to and adoption by a majority of the electors of the county.

(c) (1) If, at the conclusion of a public hearing, the board of county commissioners adopts a resolution as provided by subsection (a), or the board is presented with a petition as provided by subsection (b), the board shall direct the county clerk to submit a proposition to create the Gage park improvement authority and impose the sales tax as described by subsection (a)(1) to the qualified electors within the county. Such election shall be held in an even-numbered year. Notice of such election shall be published on the county website and at least once per week for two consecutive weeks in the official county newspaper. The second notice shall be published at least seven days prior to the date of the election. Any such election shall be called and held at any general election, as defined in K.S.A. 25-2502, and amendments thereto, or at a special election called for such purpose. In lieu thereof, such election may be called and held in the manner provided by K.S.A. 25-431 et seq., and amendments thereto.

(2) The proposition presented to the electors shall be in substantially the following form:

“Shall a Gage Park Improvement Authority be created and supported through the levy of a _____ (insert rate, not to be less than 0.2% or more than 0.5%) countywide sales tax to benefit Gage Park, the Topeka Zoo and Kansas Children’s Discovery Center?”

The county board of commissioners may place additional language on the ballot to describe the use or allocation of the funds in a manner consistent with this act.

(d) If the proposition is approved by a majority of the voters of the county voting at such election, the Gage park improvement authority shall be created and the sales tax as described in subsection (a)(1) shall be imposed by the board of county commissioners at the rate approved by the electors. The sales tax shall be collected and distributed as provided by section 23, and amendments thereto. The sales tax shall be in effect as of the first day of the year following the election. The board shall proceed with the performance of all things necessary and incidental to the establishment of the authority. The members shall be appointed and the authority shall hold the first meeting before the first day of the year following the election, as provided in section 25, and amendments thereto.

(e) If the majority of the electors of the county reject the proposition, any subsequent resolution by the board of county commissioners adopted pursuant to subsection (a) or a petition presented to the board pursuant to subsection (b) may be resubmitted to the electors after one year from the date of the last election on any such proposition.

(f) The sales tax, or portion thereof, levied pursuant to the Gage park improvement authority act shall continue in effect until repealed in the manner provided herein for the adoption and approval of such tax.

New Sec. 23. (a) If an election is held and the proposition is approved by a majority of the voters of the county voting at such election as provided in section 22 or 24, and amendments thereto, the board of county commissioners, by resolution, shall impose a Gage park improvement authority sales tax on the selling of tangible personal property at retail or the rendering or furnishing of services that are taxable pursuant to the provisions of the Kansas retailers’ sales tax act within the county for the sole purpose of financing the acquisition, construction, improvement, equipment, operation, support, maintenance and development of eligible recreational facilities within the county by the authority. The board shall provide a certified copy of the resolution to the director of taxation authorizing the levy of the sales tax approved by the voters.

(b) The Gage park improvement authority sales tax shall be in addition to and notwithstanding any limitations on the aggregate amount of the retailers’ sales tax contained in K.S.A. 12-187 through 12-197, and amendments thereto. Except as otherwise provided in this act, the sales

tax authorized by this section shall be administered and collected pursuant to and subject to the provisions of K.S.A. 12-187 through 12-197, and amendments thereto.

(c) Upon receipt of a certified copy of a resolution authorizing the levy of a sales tax pursuant to this section, the director of taxation shall cause such tax to be collected in the county at the same time and in the same manner provided for the collection of the state retailers' sales tax. All taxes collected under the provisions of this act shall be remitted by the secretary of revenue to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount of all taxes collected under the provisions of this act in the state treasury to the credit of the Gage park improvement authority sales tax fund, which is hereby established in the state treasury. All moneys in the Gage park improvement authority sales tax fund shall be remitted at least quarterly by the state treasurer, as directed by the secretary of revenue, to the Gage park improvement authority. The Gage park improvement authority shall administer such moneys as provided by section 26, and amendments thereto.

New Sec. 24. (a) (1) If the initial Gage park improvement authority sales tax is imposed at a rate lower than 0.5%, then the board of county commissioners may adopt a resolution stating the board's intention to increase the Gage park improvement authority sales tax imposed pursuant to section 23, and amendments thereto, by one or more increments of 0.05%. Such tax shall be imposed for the sole purpose of financing the acquisition, construction, improvement, equipment, operation, support, maintenance and development of eligible recreational facilities within the county and shall be administered by the authority as provided by section 26, and amendments thereto. The sales tax may be increased as provided by this section one or more times, but the total aggregate sales tax authorized by this act shall not exceed 0.5%.

(2) The board of county commissioners shall determine a time for a hearing upon the question of whether the Gage park improvement authority sales tax shall be increased and direct the county clerk to give notice thereof for three consecutive weeks on the county website and in a newspaper of general circulation within the county. The last publication of such notice shall be at least five days before the day of the hearing. The notice shall include a statement that the hearing is for the purpose of considering the incremental increase of the sales tax, the increase in the sales tax rate, the resulting aggregate rate of the sales tax, and information that a hearing will be held by the board of county commissioners, including the day and the hour of the hearing, and that all persons interested may appear and be heard at the hearing before the board.

(3) If, after such hearing, the board of county commissioners determines that the interests of the people of the county will be advanced by such an increase of the Gage park improvement authority sales tax, the board shall adopt a resolution proposing the increase of the sales tax for submission to the electors of the county as provided by subsection (c). Such resolution shall become effective upon adoption by a majority of the electors of the county.

(b) A petition requesting an incremental increase of the Gage park improvement authority sales tax by one or more increments of 0.05%, for the sole purpose of funding the acquisition, construction, improvement, equipment, operation, support, maintenance and development of eligible recreational facilities within the county may be presented to the board of county commissioners. The petition shall be signed by not less than the number of qualified electors of Shawnee county that is equal to 5% of the electors of such county who voted at the last preceding regular county election. The petition shall be filed with the Shawnee county election office at least 60 days prior to the date of an election in an even-numbered year. Upon receipt of such petition, the board of county commissioners shall cause an election to be held as provided by subsection (c). Such petition shall become effective upon submission to and adoption by a majority of the electors of the county.

(c) If, at the conclusion of a public hearing, the board of county commissioners adopts a resolution as provided in subsection (a), or the board is presented with a petition with the required number of signatures of qualified electors as provided in subsection (b), the board shall direct the county clerk to submit a proposition to adopt the increase in the sales tax to the qualified electors within the county. Such election shall be held in an even-numbered year. Notice of such election shall be published on the county website and at least once per week for two consecutive weeks in the official county newspaper. The second notice shall be published at least seven days prior to the date of such election. Any such election shall be called and held at any general election, as defined in K.S.A. 25-2502, and amendments thereto, or at a special election called for such purpose. In lieu thereof, such election may be called and held in the manner provided by K.S.A. 25-431 et seq., and amendments thereto.

(d) The proposition presented to the electors shall be in substantially the following form:

“Shall the countywide sales tax for the Gage Park Improvement Authority be increased from _____ to _____ (insert rate, not to be more than 0.5%) to benefit Gage Park, the Topeka Zoo and Kansas Children’s Discovery Center?”

The board of county commissioners may place additional language on the ballot to describe the use or allocation of the funds in a manner consistent with this act.

(e) If the proposition is approved by a majority of the voters of the county voting at such election, the Gage park improvement authority sales tax shall be increased to the rate set forth in the proposition and shall be collected and distributed to the Gage park improvement authority as provided by section 23, and amendments thereto. Such increase shall be in effect as of the first day of the year following the election. The board of county commissioners may proceed with the performance of all things necessary and incidental to the increase of the sales tax.

(f) If the majority of the electors of the county reject the proposition, any subsequent resolution by the county board adopted pursuant to subsection (a), or a petition presented to the board pursuant to subsection (b), may be resubmitted to the electors after one year from the date of the last election on any such proposition.

New Sec. 25. (a) The Gage park improvement authority shall be governed by a board composed of seven resident electors of Shawnee county as follows:

- (1) The director of Shawnee county parks or the director's designee;
- (2) the director of the Topeka zoo, who may be the president, chief executive officer or head of a nonprofit operator of the Topeka zoo, or such person's designee;
- (3) the director of the Kansas children's discovery center, who may be the president, chief executive officer or head of a nonprofit operator of the Kansas children's discovery center, or such person's designee;
- (4) two members appointed by the Topeka city council; and
- (5) two members appointed by the board of county commissioners of Shawnee county.

(b) Appointments of the initial members of the authority shall be made in such time that the authority may hold its first meeting prior to the end of the year in which the authority was first established. Appointed members shall serve terms of three years. The terms of the director of Shawnee county parks, the director of the Topeka zoo and the director of the Kansas children's discovery center shall not expire but shall transfer automatically to the successor officers of the respective organizations. The appointed members of the authority shall continue in such position until and unless removed by the appointing authority or a successor is appointed and qualified. Appointed members shall be eligible for reappointment. Whenever a vacancy occurs in the appointed members of the authority, a successor shall be selected to fill such vacancy in the same manner that the vacated member was appointed and for the remainder of such vacated member's unexpired term. A vacancy of a member who is not an appointed member may be filled by a representative of the member's respective organization. Any member of the authority may be removed at any time by the member's respective appointing authority or organization, and a

new member may then be selected by the member's respective appointing authority or organization.

(c) The authority shall select annually from its membership a chairperson, vice chairperson and secretary.

(d) The authority shall determine the time and place for its meetings. Meetings shall be held at least quarterly within Shawnee county for the purposes of reviewing, discussing and voting on the allocation of sales tax revenue. The county shall provide a suitable meeting place upon request of the authority. The authority shall be subject to the provisions of the Kansas open meetings act and the Kansas open records act.

(e) A majority of the authority shall constitute a quorum. No action of the authority shall be binding unless taken at a meeting in which at least a quorum is present and unless a majority of the members present at such meeting vote in favor of such action.

New Sec. 26. (a) The Gage park improvement authority shall have the following powers and duties:

(1) (A) To receive, hold, administer, distribute and expend the proceeds from the countywide sales tax imposed pursuant to this act and any other moneys obtained by the authority; to acquire, construct, improve, operate, equip, support, maintain and develop eligible recreational facilities within Gage park; and to distribute sales tax revenues to such eligible recreational facilities for such purposes, as provided by subparagraph (B);

(B) sales tax revenue received by the Gage park improvement authority from the first 0.2% of the rate levied shall be allocated and distributed by the authority as follows:

(i) 22% shall be distributed to Shawnee county to be used for the benefit of Gage Park as provided by this act;

(ii) 58% shall be distributed to the Topeka zoo and shall be directed to any nonprofit operator of the Topeka zoo;

(iii) 15% shall be distributed to the Kansas children's discovery center and shall be directed to any nonprofit operator of the Kansas children's discovery center; and

(iv) 5% shall be allocated and distributed in the discretion of the Gage park improvement authority for any of the following purposes:

(a) The acquisition, construction, improvement, equipment, operation, support, maintenance and development of the eligible recreational facilities;

(b) community enrichment and outreach for the benefit of the eligible recreational facilities;

(c) children's educational programming for the eligible recreational facilities;

(d) other items of public benefit and interest connected to Gage park; and

(e) actual and necessary expenses of the members of the authority in carrying out their official duties and reasonable administrative expenses; and

(C) the sales tax revenue received by the Gage park improvement authority from the portion of a rate that exceeds the rate of 0.2% shall be allocated as determined by the Gage park improvement authority for any of the following purposes:

(i) The acquisition, construction, improvement, equipment, operation, support, maintenance and development of the eligible recreational facilities;

(ii) community enrichment and outreach for the benefit of the eligible recreational facilities;

(iii) children's educational programming for the eligible recreational facilities;

(iv) other items of public benefit and interest connected to Gage park; and

(v) actual and necessary expenses of the members of the authority in carrying out their official duties and reasonable administrative expenses;

(2) to sue and be sued and to prosecute and defend any action in any court of competent jurisdiction;

(3) to enter into contracts to carry out the purposes of the authority and contracts or other instruments as necessary or convenient in the exercise of any of the powers of the authority;

(4) to receive for any authorized purposes and functions any contributions or moneys appropriated by Shawnee county or the city of Topeka and solicit and receive any donations or grants of money, equipment, supplies, materials and services from any state, the United States or any agency thereof or from any institution, foundation, organization, person, firm or corporation and utilize and dispose of such moneys, donations and grants in the discretion of the authority for the same purposes as provided by this act for the Gage park authority sales tax; and

(5) to adopt, amend and repeal bylaws and rules consistent with this act governing the manner that the powers and purposes of the authority shall be carried out and effected.

(b) The authority shall have the power to perform all other necessary and incidental functions and duties and to exercise all other necessary and appropriate powers consistent with the constitution or laws of this state to effectuate its purposes and duties as provided by this act.

(c) The authority shall be subject to dissolution in the same manner as the dissolution of a special district in accordance with K.S.A. 2021 Supp. 12-3921 through K.S.A. 12-3923, and amendments thereto.

New Sec. 27. (a) Expenses necessary to finance administrative operations of the authority for the first six months after the authority's creation

shall be appropriated to the authority by the county. Thereafter, the monies necessary to finance the operation of the authority shall be drawn from the Gage park improvement authority sales tax fund, as provided by section 26, and amendments thereto.

(b) The authority shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the authority shall be audited periodically as directed by the county. Such audit shall be performed by a certified or licensed public accountant selected by the county. The report of the audit shall be included in and become a part of the annual report of the authority in any year in which an audit is conducted. The cost of such audit shall be paid by the county.

(c) The authority shall annually prepare a report on the operations and the transactions, receipts and disbursements of the authority during the preceding year. The report shall be submitted to the board of county commissioners and the Topeka city council. The county shall publish the authority's annual report on the county's website.

Sec. 28. K.S.A. 2021 Supp. 12-187 is hereby amended to read as follows: 12-187. (a) No city shall impose a retailers' sales tax under the provisions of this act without the governing body of such city having first submitted such proposition to and having received the approval of a majority of the electors of the city voting thereon at an election called and held therefor. The governing body of any city may submit the question of imposing a retailers' sales tax and the governing body shall be required to submit the question upon submission of a petition signed by electors of such city equal in number to not less than 10% of the electors of such city.

(b) (1) The board of county commissioners of any county may submit the question of imposing a countywide retailers' sales tax to the electors at an election called and held thereon, and any such board shall be required to submit the question upon submission of a petition signed by electors of such county equal in number to not less than 10% of the electors of such county who voted at the last preceding general election for the office of secretary of state, or upon receiving resolutions requesting such an election passed by not less than $\frac{2}{3}$ of the membership of the governing body of each of one or more cities within such county that contains a population of not less than 25% of the entire population of the county, or upon receiving resolutions requesting such an election passed by $\frac{2}{3}$ of the membership of the governing body of each of one or more taxing subdivisions within such county that levy not less than 25% of the property taxes levied by all taxing subdivisions within the county.

(2) The board of county commissioners of Anderson, Atchison, Barton, Brown, Butler, Chase, Cowley, Cherokee, Crawford, Ford, Franklin, Jefferson, Linn, Lyon, Marion, Miami, Montgomery, Neosho, Osage, Ottawa, Reno, Riley, Saline, Seward, Sumner, Thomas, Wabaunsee, Wilson

and Wyandotte counties may submit the question of imposing a county-wide retailers' sales tax and pledging the revenue received therefrom for the purpose of financing the construction or remodeling of a courthouse, jail, law enforcement center facility or other county administrative facility, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire when sales tax sufficient to pay all of the costs incurred in the financing of such facility has been collected by retailers as determined by the secretary of revenue. Nothing in this paragraph shall be construed to allow the rate of tax imposed by Butler, Chase, Cowley, Lyon, Montgomery, Neosho, Riley, Sumner or Wilson county pursuant to this paragraph to exceed or be imposed at any rate other than the rates prescribed in K.S.A. 12-189, and amendments thereto.

(3) (A) Except as otherwise provided in this paragraph, the result of the election held on November 8, 1988, on the question submitted by the board of county commissioners of Jackson county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received therefrom by the county shall be expended solely for the purpose of financing the Banner Creek reservoir project. The tax imposed pursuant to this paragraph shall take effect on the effective date of this act and shall expire not later than five years after such date.

(B) The result of the election held on November 8, 1994, on the question submitted by the board of county commissioners of Ottawa county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received therefrom by the county shall be expended solely for the purpose of financing the erection, construction and furnishing of a law enforcement center and jail facility.

(C) Except as otherwise provided in this paragraph, the result of the election held on November 2, 2004, on the question submitted by the board of county commissioners of Sedgwick county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received therefrom by the county shall be used only to pay the costs of: (i) Acquisition of a site and constructing and equipping thereon a new regional events center, associated parking and infrastructure improvements and related appurtenances thereto, to be located in the downtown area of the city of Wichita, Kansas, (the "downtown arena"); (ii) design for the Kansas coliseum complex and construction of improvements to the pavilions; and (iii) establishing an operating and maintenance reserve for the downtown arena and the Kansas coliseum complex. The tax imposed pursuant to this paragraph shall commence on July 1, 2005, and shall terminate not later than 30 months after the commencement thereof.

(D) Except as otherwise provided in this paragraph, the result of the election held on August 5, 2008, on the question submitted by the board

of county commissioners of Lyon county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received therefrom by the county shall be expended for the purposes of ad valorem tax reduction and capital outlay. The tax imposed pursuant to this paragraph shall terminate not later than five years after the commencement thereof.

(E) Except as otherwise provided in this paragraph, the result of the election held on August 5, 2008, on the question submitted by the board of county commissioners of Rawlins county for the purpose of increasing its countywide retailers' sales tax by 0.75% is hereby declared valid, and the revenue received therefrom by the county shall be expended for the purposes of financing the costs of a swimming pool. The tax imposed pursuant to this paragraph shall terminate not later than 15 years after the commencement thereof or upon payment of all costs authorized pursuant to this paragraph in the financing of such project.

(F) The result of the election held on December 1, 2009, on the question submitted by the board of county commissioners of Chautauqua county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received from such tax by the county shall be expended for the purposes of financing the costs of constructing, furnishing and equipping a county jail and law enforcement center and necessary improvements appurtenant to such jail and law enforcement center. Any tax imposed pursuant to authority granted in this paragraph shall terminate upon payment of all costs authorized pursuant to this paragraph incurred in the financing of the project described in this paragraph.

(G) The result of the election held on April 7, 2015, on the question submitted by the board of county commissioners of Bourbon county for the purpose of increasing its retailers' sales tax by 0.4% is hereby declared valid, and the revenue received therefrom by the county shall be expended solely for the purpose of financing the costs of constructing, furnishing and operating a courthouse, law enforcement center or jail facility improvements. Any tax imposed pursuant to authority granted in this paragraph shall terminate upon payment of all costs authorized pursuant to this paragraph incurred in the financing of the project described in this paragraph.

(H) The result of the election held on November 7, 2017, on the question submitted by the board of county commissioners of Finney county for the purpose of increasing its countywide retailers' sales tax by 0.3% is hereby declared valid, and the revenues of such tax shall be used by Finney county and the city of Garden City, Kansas, as agreed in an interlocal cooperation agreement between the city and county, and as detailed in the ballot question approved by voters. The tax imposed

pursuant to this subparagraph shall be levied for a period of 15 years from the date it is first levied.

(I) The result of the election held on November 3, 2020, on the question submitted by the board of county commissioners of Cherokee county for the purpose of increasing its retailers' sales tax by 0.5% is hereby declared valid, and the revenue received therefrom by the county shall be expended solely for the purpose of financing: (i) Ambulance services within the county; (ii) renovations and maintenance of county buildings and facilities; or (iii) any other projects within the county deemed necessary by the governing body of Cherokee county. The tax imposed pursuant to this subparagraph shall terminate prior to January 1, 2033.

(4) The board of county commissioners of Finney and Ford counties may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing all or any portion of the cost to be paid by Finney or Ford county for construction of highway projects identified as system enhancements under the provisions of K.S.A. 68-2314(b)(5), and amendments thereto, to the electors at an election called and held thereon. Such election shall be called and held in the manner provided by the general bond law. The tax imposed pursuant to this paragraph shall expire upon the payment of all costs authorized pursuant to this paragraph in the financing of such highway projects. Nothing in this paragraph shall be construed to allow the rate of tax imposed by Finney or Ford county pursuant to this paragraph to exceed the maximum rate prescribed in K.S.A. 12-189, and amendments thereto. If any funds remain upon the payment of all costs authorized pursuant to this paragraph in the financing of such highway projects in Finney county, the state treasurer shall remit such funds to the treasurer of Finney county and upon receipt of such moneys shall be deposited to the credit of the county road and bridge fund. If any funds remain upon the payment of all costs authorized pursuant to this paragraph in the financing of such highway projects in Ford county, the state treasurer shall remit such funds to the treasurer of Ford county and upon receipt of such moneys shall be deposited to the credit of the county road and bridge fund.

(5) The board of county commissioners of any county may submit the question of imposing a retailers' sales tax at the rate of 0.25%, 0.5%, 0.75% or 1% and pledging the revenue received therefrom for the purpose of financing the provision of health care services, as enumerated in the question, to the electors at an election called and held thereon. Whenever any county imposes a tax pursuant to this paragraph, any tax imposed pursuant to subsection (a)(2) by any city located in such county shall expire upon the effective date of the imposition of the countywide tax, and thereafter the state treasurer shall remit to each such city that portion of

the countywide tax revenue collected by retailers within such city as certified by the director of taxation. The tax imposed pursuant to this paragraph shall be deemed to be in addition to the rate limitations prescribed in K.S.A. 12-189, and amendments thereto. As used in this paragraph, health care services shall include, but not be limited to, the following: Local health departments, city or county hospitals, city or county nursing homes, preventive health care services including immunizations, prenatal care and the postponement of entry into nursing homes by home care services, mental health services, indigent health care, physician or health care worker recruitment, health education, emergency medical services, rural health clinics, integration of health care services, home health services and rural health networks.

(6) The board of county commissioners of Allen county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of operation and construction of a solid waste disposal area or the modification of an existing landfill to comply with federal regulations to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon the payment of all costs incurred in the financing of the project undertaken. Nothing in this paragraph shall be construed to allow the rate of tax imposed by Allen county pursuant to this paragraph to exceed or be imposed at any rate other than the rates prescribed in K.S.A. 12-189, and amendments thereto.

(7) (A) The board of county commissioners of Clay and Miami county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.50% in the case of Clay county and at a rate of up to 1% in the case of Miami county, and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvement to the electors at an election called and held thereon. Except as otherwise provided, the tax imposed pursuant to this subparagraph shall expire after five years from the date such tax is first collected. The result of the election held on November 2, 2004, on the question submitted by the board of county commissioners of Miami county for the purpose of extending for an additional five-year period the countywide retailers' sales tax imposed pursuant to this subsection in Miami county is hereby declared valid. The countywide retailers' sales tax imposed pursuant to this subsection in Clay and Miami county may be extended or reenacted for additional five-year periods upon the board of county commissioners of Clay and Miami county submitting such question to the electors at an election called and held thereon for each additional five-year period as provided by law.

(B) The board of county commissioners of Dickinson county may submit the question of imposing a countywide retailers' sales tax at the

rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this subparagraph shall expire after 10 years from the date such tax is first collected.

(8) The board of county commissioners of Sherman county may submit the question of imposing a countywide retailers' sales tax at the rate of 1% and pledging the revenue received therefrom for the purpose of financing the costs of street and roadway improvements to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized pursuant to this paragraph in the financing of such project.

(9) (A) The board of county commissioners of Cowley, Crawford and Woodson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% in the case of Crawford and Woodson county and at a rate of up to 0.25%, in the case of Cowley county and pledging the revenue received therefrom for the purpose of financing economic development initiatives or public infrastructure projects. The tax imposed pursuant to this subparagraph shall expire after five years from the date such tax is first collected.

(B) The board of county commissioners of Russell county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing economic development initiatives or public infrastructure projects. The tax imposed pursuant to this subparagraph shall expire after 10 years from the date such tax is first collected.

(10) The board of county commissioners of Franklin county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing recreational facilities. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such facilities.

(11) The board of county commissioners of Douglas county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purposes of conservation, access and management of open space; preservation of cultural heritage; and economic development projects and activities.

(12) The board of county commissioners of Shawnee county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom to the city of Topeka for the purpose of financing the costs of rebuilding the Topeka boulevard bridge and other public infrastructure improvements associated with such project to the electors at an election called and held thereon. The tax

imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such project.

(13) The board of county commissioners of Jackson county may submit the question of imposing a countywide retailers' sales tax at a rate of 0.4% and pledging the revenue received therefrom for the purpose of financing public infrastructure projects to the electors at an election called and held thereon. Such tax shall expire after seven years from the date such tax is first collected.

(14) The board of county commissioners of Neosho county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized pursuant to this paragraph in the financing of such project.

(15) The board of county commissioners of Saline county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of construction and operation of an expo center to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after five years from the date such tax is first collected.

(16) The board of county commissioners of Harvey county may submit the question of imposing a countywide retailers' sales tax at the rate of 1.0% and pledging the revenue received therefrom for the purpose of financing the costs of property tax relief, economic development initiatives and public infrastructure improvements to the electors at an election called and held thereon.

(17) The board of county commissioners of Atchison county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing the costs of construction and maintenance of sports and recreational facilities to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such facilities.

(18) The board of county commissioners of Wabaunsee county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of bridge and roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after 15 years from the date such tax is first collected. On and after July 1, 2019, the countywide retailers' sales tax imposed pursuant to this paragraph may be extended or

reenacted for one additional period not to exceed 15 years upon the board of county commissioners of Wabaunsee county submitting such question to the electors at an election called and held thereon as provided by law. For any countywide retailers' sales tax that is extended or reenacted pursuant to this paragraph, such tax shall expire not later than 15 years from the date such tax is first collected.

(19) The board of county commissioners of Jefferson county may submit the question of imposing a countywide retailers' sales tax at the rate of 1% and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after six years from the date such tax is first collected. The countywide retailers' sales tax imposed pursuant to this paragraph may be extended or reenacted for additional six-year periods upon the board of county commissioners of Jefferson county submitting such question to the electors at an election called and held thereon for each additional six-year period as provided by law.

(20) The board of county commissioners of Riley county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 1% and pledging the revenue received therefrom for the purpose of financing the costs of bridge and roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after five years from the date such tax is first collected.

(21) The board of county commissioners of Johnson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing the construction and operation costs of public safety projects, including, but not limited to, a jail, detention center, sheriff's resource center, crime lab or other county administrative or operational facility dedicated to public safety, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after 10 years from the date such tax is first collected. The countywide retailers' sales tax imposed pursuant to this subsection may be extended or reenacted for additional periods not exceeding 10 years upon the board of county commissioners of Johnson county submitting such question to the electors at an election called and held thereon for each additional ten-year period as provided by law.

(22) The board of county commissioners of Wilson county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 1% and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvements to federal highways, the development of a new industrial park and other public

infrastructure improvements to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized pursuant to this paragraph in the financing of such project or projects.

(23) The board of county commissioners of Butler county may submit the question of imposing a countywide retailers' sales tax at the rate of either 0.25%, 0.5%, 0.75% or 1% and pledging the revenue received therefrom for the purpose of financing the costs of public safety capital projects or bridge and roadway construction projects, or both, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such projects.

(24) The board of county commissioners of Barton county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of roadway and bridge construction and improvement and infrastructure development and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after 10 years from the date such tax is first collected.

(25) The board of county commissioners of Jefferson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing the costs of the county's obligation as participating employer to make employer contributions and other required contributions to the Kansas public employees retirement system for eligible employees of the county who are members of the Kansas police and firemen's retirement system, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such purpose.

(26) The board of county commissioners of Pottawatomie county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of construction or remodeling of a courthouse, jail, law enforcement center facility or other county administrative facility, or public infrastructure improvements, or both, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such project or projects.

(27) The board of county commissioners of Kingman county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25%, 0.5%, 0.75% or 1% and pledging the revenue received therefrom for the purpose of financing the costs of constructing and furnishing a law enforcement center and jail facility and the costs of roadway and bridge

improvements to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire not later than 20 years from the date such tax is first collected.

(28) The board of county commissioners of Edwards county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.375% and pledging the revenue therefrom for the purpose of financing the costs of economic development initiatives to the electors at an election called and held thereon.

(29) The board of county commissioners of Rooks county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue therefrom for the purpose of financing the costs of constructing or remodeling and furnishing a jail facility to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon the payment of all costs authorized in financing such project or projects.

(30) The board of county commissioners of Douglas county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the construction or remodeling of a courthouse, jail, law enforcement center facility, detention facility or other county administrative facility, specifically including mental health and for the operation thereof.

(31) The board of county commissioners of Bourbon county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 1%, in increments of 0.05%, and pledging the revenue received therefrom for the purpose of financing the costs of constructing, furnishing and operating a courthouse, law enforcement center or jail facility improvements to the electors at an election called and held thereon.

(32) The board of county commissioners of Marion county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of property tax relief, economic development initiatives and the construction of public infrastructure improvements, including buildings, to the electors at an election called and held thereon.

(33) *The board of county commissioners of Wilson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25%, 0.5%, 0.75% or 1% and pledging the revenue received therefrom for the purpose of supporting emergency medical and ambulance services in the county to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after 10 years from the date such tax is first collected. The countywide retailers' sales tax imposed pursuant to this paragraph may be extended or reenacted for additional periods not exceeding 10 years per period upon the board of county commissioners of Wilson county submitting such question to the electors at an*

election called and held thereon for each additional period as provided by law. This paragraph shall not be construed to cause the expiration, repeal or termination of any existing city retailers' sales tax for health care services as defined in paragraph (5).

(c) The boards of county commissioners of any two or more contiguous counties, upon adoption of a joint resolution by such boards, may submit the question of imposing a retailers' sales tax within such counties to the electors of such counties at an election called and held thereon and such boards of any two or more contiguous counties shall be required to submit such question upon submission of a petition in each of such counties, signed by a number of electors of each of such counties where submitted equal in number to not less than 10% of the electors of each of such counties who voted at the last preceding general election for the office of secretary of state, or upon receiving resolutions requesting such an election passed by not less than $\frac{2}{3}$ of the membership of the governing body of each of one or more cities within each of such counties that contains a population of not less than 25% of the entire population of each of such counties, or upon receiving resolutions requesting such an election passed by $\frac{2}{3}$ of the membership of the governing body of each of one or more taxing subdivisions within each of such counties that levy not less than 25% of the property taxes levied by all taxing subdivisions within each of such counties.

(d) *Notwithstanding any provision of law to the contrary, including subsection (b)(5), any city retailers' sales tax being levied by a city prior to July 1, 2006, shall continue in effect until repealed in the manner provided herein for the adoption and approval of such tax or until repealed by the adoption of an ordinance for such repeal. Any countywide retailers' sales tax in the amount of 0.5% or 1% in effect on July 1, 1990, shall continue in effect until repealed in the manner provided herein for the adoption and approval of such tax.*

(e) Any city or county proposing to adopt a retailers' sales tax shall give notice of its intention to submit such proposition for approval by the electors in the manner required by K.S.A. 10-120, and amendments thereto. The notices shall state the time of the election and the rate and effective date of the proposed tax. If a majority of the electors voting thereon at such election fail to approve the proposition, such proposition may be re-submitted under the conditions and in the manner provided in this act for submission of the proposition. If a majority of the electors voting thereon at such election shall approve the levying of such tax, the governing body of any such city or county shall provide by ordinance or resolution, as the case may be, for the levy of the tax. Any repeal of such tax or any reduction or increase in the rate thereof, within the limits prescribed by K.S.A. 12-189, and amendments thereto, shall be accomplished in the manner provided herein for the adoption and approval of such tax except that the

repeal of any such city retailers' sales tax may be accomplished by the adoption of an ordinance so providing.

(f) The sufficiency of the number of signers of any petition filed under this section shall be determined by the county election officer. Every election held under this act shall be conducted by the county election officer.

(g) (1) The governing body of the city or county proposing to levy any retailers' sales tax shall specify the purpose or purposes for which the revenue would be used, and a statement generally describing such purpose or purposes shall be included as a part of the ballot proposition.

(2) *In addition to the requirements set forth in paragraph (1), the governing body of the county proposing to levy a countywide retailers' sales tax shall include as a part of the ballot proposition whether:*

(A) *The apportionment formula provided in K.S.A. 12-192, and amendments thereto, will apply to the revenue;*

(B) *an interlocal agreement was entered whereby the county will retain either all or part of the revenue; or*

(C) *pursuant to law, the county retains the revenue in its entirety.*

Sec. 29. K.S.A. 2021 Supp. 12-189 is hereby amended to read as follows: 12-189. The rate of any city retailers' sales tax shall be fixed in increments of 0.05% and in an amount not to exceed 2% for general purposes and not to exceed 1% for special purposes, which shall be determined by the governing body of the city. For any retailers' sales tax imposed by a city for special purposes, such city shall specify the purposes for which such tax is imposed. All such special purpose retailers' sales taxes imposed by a city shall expire after 10 years from the date such tax is first collected. The rate of any countywide retailers' sales tax shall be fixed in an amount not to exceed 1% and shall be fixed in increments of 0.25%, and which amount shall be determined by the board of county commissioners, except that:

(a) The board of county commissioners of Wabaunsee county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 1.25%; the board of county commissioners of Osage or Reno county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 1.25% or 1.5%; the board of county commissioners of Cherokee, Crawford, Ford, Saline, Seward or Wyandotte county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 1.5%; the board of county commissioners of Atchison or Thomas county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 1.5% or 1.75%; the board of county commissioners of Anderson, Barton, Jefferson or Ottawa county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 2%; the board of county commissioners of Marion county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 2.5%; the board of county commissioners of Franklin, Linn and Miami counties, for the

purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate allowed to be imposed by the respective board of county commissioners on July 1, 2007, plus up to 1.0%; and the board of county commissioners of Brown county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at up to 2%;

(b) the board of county commissioners of Jackson county, for the purposes of K.S.A. 12-187(b)(3), and amendments thereto, may fix such rate at 2%;

(c) the boards of county commissioners of Finney and Ford counties, for the purposes of K.S.A. 12-187(b)(4), and amendments thereto, may fix such rate at 0.25%;

(d) the board of county commissioners of any county, for the purposes of K.S.A. 12-187(b)(5), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate allowed to be imposed by a board of county commissioners on the effective date of this act plus 0.25%, 0.5%, 0.75% or 1%, as the case requires;

(e) the board of county commissioners of Dickinson county, for the purposes of K.S.A. 12-187(b)(7), and amendments thereto, may fix such rate at 1.5%, and the board of county commissioners of Miami county, for the purposes of K.S.A. 12-187(b)(7), and amendments thereto, may fix such rate at 1.25%, 1.5%, 1.75% or 2%;

(f) the board of county commissioners of Sherman county, for the purposes of K.S.A. 12-187(b)(8), and amendments thereto, may fix such rate at 2.25%;

(g) the board of county commissioners of Crawford or Russell county for the purposes of K.S.A. 12-187(b)(9), and amendments thereto, may fix such rate at 1.5%;

(h) the board of county commissioners of Franklin county, for the purposes of K.S.A. 12-187(b)(10), and amendments thereto, may fix such rate at 1.75%;

(i) the board of county commissioners of Douglas county, for the purposes of K.S.A. 12-187(b)(11) and (b)(30), and amendments thereto, may fix such rate at 1.75%;

(j) the board of county commissioners of Jackson county, for the purposes of K.S.A. 12-187(b)(13), and amendments thereto, may fix such rate at 1.4%;

(k) the board of county commissioners of Sedgwick county, for the purposes of K.S.A. 12-187(b)(3)(C), and amendments thereto, may fix such rate at 2%;

(l) the board of county commissioners of Neosho county, for the purposes of K.S.A. 12-187(b)(14), and amendments thereto, may fix such rate at 1.0% or 1.5%;

(m) the board of county commissioners of Saline county, for the purposes of K.S.A. 12-187(b)(15), and amendments thereto, may fix such rate at up to 1.5%;

(n) the board of county commissioners of Harvey county, for the purposes of K.S.A. 12-187(b)(16), and amendments thereto, may fix such rate at 2.0%;

(o) the board of county commissioners of Atchison county, for the purpose of K.S.A. 12-187(b)(17), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate allowed to be imposed by the board of county commissioners of Atchison county on the effective date of this act plus 0.25%;

(p) the board of county commissioners of Wabaunsee county, for the purpose of K.S.A. 12-187(b)(18), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate allowed to be imposed by the board of county commissioners of Wabaunsee county on July 1, 2007, plus 0.5%;

(q) the board of county commissioners of Jefferson county, for the purpose of K.S.A. 12-187(b)(19) and (25), and amendments thereto, may fix such rate at 2.25%;

(r) the board of county commissioners of Riley county, for the purpose of K.S.A. 12-187(b)(20), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate allowed to be imposed by the board of county commissioners of Riley county on July 1, 2007, plus up to 1%;

(s) the board of county commissioners of Johnson county, for the purposes of K.S.A. 12-187(b)(21), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate allowed to be imposed by the board of county commissioners of Johnson county on July 1, 2007, plus 0.25%;

(t) the board of county commissioners of Wilson county, for the purposes of K.S.A. 12-187(b)(22), and amendments thereto, may fix such rate at up to 2%;

(u) the board of county commissioners of Butler county, for the purposes of K.S.A. 12-187(b)(23), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.25%, 0.5%, 0.75% or 1%;

(v) the board of county commissioners of Barton county, for the purposes of K.S.A. 12-187(b)(24), and amendments thereto, may fix such rate at up to 1.5%;

(w) the board of county commissioners of Lyon county, for the purposes of K.S.A. 12-187(b)(3)(D), and amendments thereto, may fix such rate at 1.5%;

(x) the board of county commissioners of Rawlins county, for the pur-

poses of K.S.A. 12-187(b)(3)(E), and amendments thereto, may fix such rate at 1.75%;

(y) the board of county commissioners of Chautauqua county, for the purposes of K.S.A. 12-187(b)(3)(F), and amendments thereto, may fix such rate at 2.0%;

(z) the board of county commissioners of Pottawatomie county, for the purposes of K.S.A. 12-187(b)(26), and amendments thereto, may fix such rate at up to 1.5%;

(aa) the board of county commissioners of Kingman county, for the purposes of K.S.A. 12-187(b)(27), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.25%, 0.5%, 0.75%, or 1%;

(bb) the board of county commissioners of Edwards county, for the purposes of K.S.A. 12-187(b)(28), and amendments thereto, may fix such rate at 1.375%;

(cc) the board of county commissioners of Rooks county, for the purposes of K.S.A. 12-187(b)(29), and amendments thereto, may fix such rate at up to 1.5%;

(dd) the board of county commissioners of Bourbon county, for the purposes of K.S.A. 12-187(b)(3)(G) and (b)(31), and amendments thereto, may fix such rate at up to 2.0%;

(ee) the board of county commissioners of Marion county, for the purposes of K.S.A. 12-187(b)(32), and amendments thereto, may fix such rate at 2.5%;

(ff) the board of county commissioners of Finney county, for the purposes of K.S.A. 12-187(b)(3)(H), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.3%; ~~and~~

(gg) the board of county commissioners of Cherokee county, for the purposes of K.S.A. 12-187(b)(3)(I), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.5%; *and*

(hh) *the board of county commissioners of Wilson county, for the purposes of K.S.A. 12-187(b)(33), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.25%, 0.5%, 0.75% or 1%.*

Any county or city levying a retailers' sales tax is hereby prohibited from administering or collecting such tax locally, but shall utilize the services of the state department of revenue to administer, enforce and collect such tax. Except as otherwise specifically provided in K.S.A. 12-189a, and amendments thereto, such tax shall be identical in its application, and exemptions therefrom, to the Kansas retailers' sales tax act and all laws and administrative rules and regulations of the state department of revenue

relating to the Kansas retailers' sales tax shall apply to such local sales tax insofar as such laws and rules and regulations may be made applicable. The state director of taxation is hereby authorized to administer, enforce and collect such local sales taxes and to adopt such rules and regulations as may be necessary for the efficient and effective administration and enforcement thereof.

Upon receipt of a certified copy of an ordinance or resolution authorizing the levy of a local retailers' sales tax, the director of taxation shall cause such taxes to be collected within or without the boundaries of such taxing subdivision at the same time and in the same manner provided for the collection of the state retailers' sales tax. Such copy shall be submitted to the director of taxation within 30 days after adoption of any such ordinance or resolution. The director of taxation shall confirm that all provisions of law applicable to the authorization of local sales tax have been followed prior to causing the collection. If the director of taxation discovers that a city or county did not comply with any provision of law applicable to the authorization of a local sales tax after collection has commenced, the director shall immediately notify the city or county and cease collection of such sales tax until such noncompliance is remedied. All moneys collected by the director of taxation under the provisions of this section shall be credited to a county and city retailers' sales tax fund which fund is hereby established in the state treasury, except that all moneys collected by the director of taxation pursuant to the authority granted in K.S.A. 12-187(b)(22), and amendments thereto, shall be credited to the Wilson county capital improvements fund. Any refund due on any county or city retailers' sales tax collected pursuant to this act shall be paid out of the sales tax refund fund and reimbursed by the director of taxation from collections of local retailers' sales tax revenue. Except for local retailers' sales tax revenue required to be deposited in the redevelopment bond fund established under K.S.A. 74-8927, and amendments thereto, all local retailers' sales tax revenue collected within any county or city pursuant to this act shall be apportioned and remitted at least quarterly by the state treasurer, on instruction from the director of taxation, to the treasurer of such county or city.

Revenue that is received from the imposition of a local retailers' sales tax that exceeds the amount of revenue required to pay the costs of a special project for which such revenue was pledged shall be credited to the city or county general fund, as the case requires.

The director of taxation shall provide, upon request by a city or county clerk or treasurer or finance officer of any city or county levying a local retailers' sales tax, monthly reports identifying each retailer doing business in such city or county or making taxable sales sourced to such city or county, setting forth the tax liability and the amount of such tax remitted

by each retailer during the preceding month and identifying each business location maintained by the retailer and such retailer's sales or use tax registration or account number. Such report shall be made available to the clerk or treasurer or finance officer of such city or county within a reasonable time after it has been requested from the director of taxation. The director of taxation shall be allowed to assess a reasonable fee for the issuance of such report. Information received by any city or county pursuant to this section shall be confidential, and it shall be unlawful for any officer or employee of such city or county to divulge any such information in any manner. Any violation of this paragraph by a city or county officer or employee is a class A misdemeanor, and such officer or employee shall be dismissed from office. Reports of violations of this paragraph shall be investigated by the attorney general. The district attorney or county attorney and the attorney general shall have authority to prosecute violations of this paragraph.

Sec. 30. K.S.A. 2021 Supp. 12-192 is hereby amended to read as follows: 12-192. (a) Except as otherwise provided by subsection (b), (d) or (h), all revenue received by the director of taxation from a countywide retailers' sales tax shall be apportioned among the county and each city located in such county in the following manner:

(1) $\frac{1}{2}$ of all revenue received by the director of taxation shall be apportioned among the county and each city located in such county in the proportion that the total tangible property tax levies made in such county in the preceding year for all funds of each such governmental unit bear to the total of all such levies made in the preceding year; and

(2) $\frac{1}{2}$ of all revenue received by the director of taxation from such countywide retailers' sales tax shall be apportioned among the county and each city located in such county, first to the county that portion of the revenue equal to the proportion that the population of the county residing in the unincorporated area of the county bears to the total population of the county, and second to the cities in the proportion that the population of each city bears to the total population of the county, except that no persons residing within the Fort Riley military reservation shall be included in the determination of the population of any city located within Riley county.

All revenue apportioned to a county shall be paid to its county treasurer and shall be credited to the general fund of the county.

(b) (1) In lieu of the apportionment formula provided in subsection (a), all revenue received by the director of taxation from a countywide retailers' sales tax imposed within Johnson county at the rate of 0.75%, 1% or 1.25% after July 1, 2007, shall be apportioned among the county and each city located in such county in the following manner:

(A) The revenue received from the first 0.5% rate of tax shall be apportioned in the manner prescribed by subsection (a); and

(B) the revenue received from the rate of tax exceeding 0.5% shall be apportioned as follows:

(i) $\frac{1}{4}$ shall be apportioned among the county and each city located in such county in the proportion that the total tangible property tax levies made in such county in the preceding year for all funds of each such governmental unit bear to the total of all such levies made in the preceding year;

(ii) $\frac{1}{4}$ shall be apportioned among the county and each city located in such county, first to the county that portion of the revenue equal to the proportion that the population of the county residing in the unincorporated area of the county bears to the total population of the county, and second to the cities in the proportion that the population of each city bears to the total population of the county; and

(iii) $\frac{1}{2}$ shall be retained by the county for its sole use and benefit.

(2) In lieu of the apportionment formula provided in subsection (a), all money received by the director of taxation from a countywide sales tax imposed within Montgomery county pursuant to the election held on November 8, 1994, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged. All revenue apportioned and paid from the imposition of such tax to the treasurer of any city prior to the effective date of this act shall be remitted to the county treasurer and expended only for the purpose for which the revenue received from the tax was pledged.

(3) In lieu of the apportionment formula provided in subsection (a), on and after the effective date of this act, all moneys received by the director of taxation from a countywide retailers' sales tax imposed within Phillips county pursuant to the election held on September 20, 2005, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged.

(c) (1) Except as otherwise provided by paragraph (2) of this subsection, for purposes of subsections (a) and (b), the term "total tangible property tax levies" means the aggregate dollar amount of tax revenue derived from ad valorem tax levies applicable to all tangible property located within each such city or county. The ad valorem property tax levy of any county or city district entity or subdivision shall be included within this term if the levy of any such district entity or subdivision is applicable to all tangible property located within each such city or county.

(2) For the purposes of subsections (a) and (b), any ad valorem property tax levied on property located in a city in Johnson county for the purpose of providing fire protection service in such city shall be included within the term "total tangible property tax levies" for such city regardless of its applicability to all tangible property located within each such city. If the tax is levied by a district which extends across city boundaries, for pur-

poses of this computation, the amount of such levy shall be apportioned among each city in which such district extends in the proportion that such tax levied within each city bears to the total tax levied by the district.

(d) (1) All revenue received from a countywide retailers' sales tax imposed pursuant to K.S.A. 12-187(b)(2), (3)(C), (3)(F), (3)(G), (3)(I), (6), (7), (8), (9), (12), (14), (15), (16), (17), (18), (19), (20), (22), (23), (25), (27), (28), (29), (30), (31) ~~and~~ (32) *and* (33), and amendments thereto, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged.

(2) Except as otherwise provided in K.S.A. 12-187(b)(5), and amendments thereto, all revenues received from a countywide retailers' sales tax imposed pursuant to K.S.A. 12-187(b)(5), and amendments thereto, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged.

(3) All revenue received from a countywide retailers' sales tax imposed pursuant to K.S.A. 12-187(b)(26), and amendments thereto, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged unless the question of imposing a countywide retailers' sales tax authorized by K.S.A. 12-187(b)(26), and amendments thereto, includes the apportionment of revenue prescribed in subsection (a).

(e) All revenue apportioned to the several cities of the county shall be paid to the respective treasurers thereof and deposited in the general fund of the city. Whenever the territory of any city is located in two or more counties and any one or more of such counties do not levy a countywide retailers' sales tax, or whenever such counties do not levy countywide retailers' sales taxes at a uniform rate, the revenue received by such city from the proceeds of the countywide retailers' sales tax, as an alternative to depositing the same in the general fund, may be used for the purpose of reducing the tax levies of such city upon the taxable tangible property located within the county levying such countywide retailers' sales tax.

(f) Prior to March 1 of each year, the secretary of revenue shall advise each county treasurer of the revenue collected in such county from the state retailers' sales tax for the preceding calendar year.

(g) Prior to December 31 of each year, the clerk of every county imposing a countywide retailers' sales tax shall provide such information deemed necessary by the secretary of revenue to apportion and remit revenue to the counties and cities pursuant to this section.

(h) The provisions of subsections (a) and (b) for the apportionment of countywide retailers' sales tax shall not apply to any revenues received pursuant to a county or countywide retailers' sales tax levied or collected under K.S.A. 74-8929, and amendments thereto. All such revenue collected under K.S.A. 74-8929, and amendments thereto, shall be deposit-

ed into the redevelopment bond fund established by K.S.A. 74-8927, and amendments thereto, for the period of time set forth in K.S.A. 74-8927, and amendments thereto.

Sec. 31. K.S.A. 2021 Supp. 74-50,223 is hereby amended to read as follows: 74-50,223. (a) Any county that has been designated a rural opportunity zone pursuant to K.S.A. 74-50,222, and amendments thereto, may participate in the program provided in this section by authorizing such participation by the county commission of such county through a duly enacted written resolution. Such county shall provide a certified copy of such resolution to the secretary of commerce on or before January 1, 2012, for calendar year 2012, or on or before January 1 for each calendar year thereafter, in which a county chooses to participate. Such resolution shall obligate the county to participate in the program provided by this section for a period of five years, and shall be irrevocable. Such resolution shall specify the maximum amount of outstanding student loan balance for each resident individual to be repaid as provided in subsection (b), except the maximum amount of such balance shall be \$15,000.

(b) If a county submits a resolution as provided in subsection (a), under the program provided in this section, subject to subsection (d), the state of Kansas and such county which chooses to participate as provided in subsection (a), shall agree to pay in equal shares the outstanding student loan balance of any resident individual who qualifies to have such individual's student loans repaid under the provisions of subsection (c) over a five-year period, except that the maximum amount of such balance shall be \$15,000. The amount of such repayment shall be equal to 20% of the outstanding student loan balance of the individual in a year over the five-year repayment period. The state of Kansas is not obligated to pay the student loan balance of any resident individual who qualifies pursuant to subsection (c) prior to the county submitting a resolution to the secretary pursuant to subsection (a). Each such county shall certify to the secretary that such county has made the payment required by this subsection.

(c) A resident individual shall be entitled to have such individual's outstanding student loan balance paid for attendance at an institution of higher education where such resident individual earned an associate, bachelor or post-graduate degree under the provisions of this section when such resident individual establishes domicile in a county designated as a rural opportunity zone which participates in the program as provided in subsection (a), on and after the date in which such county commenced such participation, and prior to July 1, ~~2023~~ 2026. Such resident individual may enroll in this program in a form and manner prescribed by the secretary. Subject to subsection (d), once enrolled such resident individual shall be entitled to full participation in the program for five years, except that if the resident individual relocates outside the rural opportunity zone

for which the resident individual first qualified, such resident individual forfeits such individual's eligibility to participate, and obligations under this section of the state and the county terminate. No resident individual shall enroll and be eligible to participate in this program after June 30, ~~2023~~ 2026.

(d) The provisions of this act shall be subject to appropriation acts. Nothing in this act guarantees a resident individual a right to the benefits provided in this section. The county may continue to participate even if the state does not participate.

(e) The secretary shall adopt rules and regulations necessary to administer the provisions of this section.

(f) On January 1, 2012, and annually thereafter until January 1, ~~2024~~ 2027, the secretary of commerce shall report to the senate committee on assessment and taxation and the house of representatives committee on taxation as to how many residents applied for the rural opportunity zone tax credit.

Sec. 32. K.S.A. 2021 Supp. 79-201x is hereby amended to read as follows: 79-201x. (a) For taxable ~~years 2021 and year 2022, and all taxable years thereafter~~, the following described property, to the extent herein specified, shall be and is hereby exempt from the property tax levied pursuant to the provisions of K.S.A. 72-5142, and amendments thereto: Property used for residential purposes to the extent of ~~\$20,000-\$40,000~~ of its appraised valuation.

(b) *For taxable year 2023, and all taxable years thereafter, the dollar amount of the extent of appraised valuation that is exempt pursuant to subsection (a) shall be adjusted to reflect the average percentage change in statewide residential valuation of all residential real property for the preceding 10 years. Such average percentage change shall not be less than zero. The director of property valuation shall calculate the average percentage change for purposes of this annual adjustment and calculate the dollar amount of the extent of appraised valuation that is exempt pursuant to this section each year.*

Sec. 33. K.S.A. 79-224 is hereby amended to read as follows: 79-224.

(a) It is the purpose of this section to promote, stimulate, foster and encourage new investments in telecommunications machinery and equipment and railroad machinery and equipment in the state of Kansas, to recognize the dramatic changes within the telecommunications industry, to contribute to the economic recovery of the state, to enhance business opportunities in the state, to encourage the location of new businesses and industries in the state as well as the retention and expansion of existing businesses and industries and to promote the economic stability of the state by maintaining and providing employment opportunities, thereby contributing to the general welfare of the citizens of the state,

by exempting from property taxation certain newly purchased or leased telecommunications machinery and equipment and railroad machinery and equipment, including all such machinery and equipment transferred into this state for the purpose of expanding an existing business or for the creation of a new business.

(b) The following described property, to the extent specified by this section, shall be and is hereby exempt from all property or ad valorem taxes levied under the laws of the state of Kansas:

First. Telecommunications machinery and equipment and railroad machinery and equipment acquired by qualified purchase or lease made or entered into after June 30, 2006, as the result of a bona fide transaction not consummated for the purpose of avoiding taxation.

Second. Telecommunications machinery and equipment and railroad machinery and equipment transported into this state after June 30, 2006, for the purpose of expanding an existing business or creation of a new business.

(c) As used in this section:

(1) “Acquired” shall not include the transfer of property pursuant to an exchange for stock securities, or the transfer of assets from one going concern to another due to a merger, reorganization or other consolidation;

(2) “qualified lease” means a lease of telecommunications machinery and equipment or railroad machinery and equipment for not less than 30 days for fair and valuable consideration where such machinery and equipment is physically transferred to the lessee to be used in the lessee’s business or trade;

(3) “qualified purchase” means a purchase of telecommunications machinery and equipment or railroad machinery and equipment for fair and valuable consideration where such machinery and equipment is physically transferred to the purchaser to be used in the purchaser’s business or trade;

(4) “railroad machinery and equipment” means railroad machinery and equipment classified for property tax purposes within subclass (3) of class 2 of section 1 of article 11 of the constitution of the state of Kansas; and

(5) “telecommunications machinery and equipment” means network administrative assets; central office equipment; information, station and customer equipment; and outside plant equipment of a telecommunication company. *“Telecommunications machinery and equipment” includes machinery and equipment placed in inventory or work-in-progress.*

(d) The secretary of revenue is hereby authorized to adopt rules and regulations to administer the provisions of this section.

Sec. 34. K.S.A. 79-1476 is hereby amended to read as follows: 79-1476. The director of property valuation is hereby directed and empowered to administer and supervise a statewide program of reappraisal of

all real property located within the state. Except as otherwise authorized by K.S.A. 19-428, and amendments thereto, each county shall comprise a separate appraisal district under such program, and the county appraiser shall have the duty of reappraising all of the real property in the county pursuant to guidelines and timetables prescribed by the director of property valuation and of updating the same on an annual basis. In the case of multi-county appraisal districts, the district appraiser shall have the duty of reappraising all of the real property in each of the counties comprising the district pursuant to such guidelines and timetables and of updating the same on an annual basis. Commencing in 2000, every parcel of real property shall be actually viewed and inspected by the county or district appraiser once every six years.

Compilation of data for the initial preparation or updating of inventories for each parcel of real property and entry thereof into the state computer system as provided for in K.S.A. 79-1477, and amendments thereto, shall be completed not later than January 1, 1989. Whenever the director determines that reappraisal of all real property within a county is complete, notification thereof shall be given to the governor and to the state board of tax appeals.

Valuations shall be established for each parcel of real property at its fair market value in money in accordance with the provisions of K.S.A. 79-503a, and amendments thereto.

In addition thereto, valuations shall be established for each parcel of land devoted to agricultural use upon the basis of the agricultural income or productivity attributable to the inherent capabilities of such land in its current usage under a degree of management reflecting median production levels in the manner hereinafter provided. A classification system for all land devoted to agricultural use shall be adopted by the director of property valuation using criteria established by the United States department of agriculture ~~soil~~ *natural resources* conservation service. For all taxable years commencing after December 31, 1989, all land devoted to agricultural use ~~which that~~ is subject to the federal conservation reserve program shall be classified as cultivated dry land for the purpose of valuation for property tax purposes pursuant to this section, *except that for all taxable years commencing after December 31, 2022, all land devoted to agricultural use that is subject to the federal grassland conservation reserve program (CRP grasslands) shall be classified as grassland for the purpose of valuation for property tax purposes pursuant to this section.* For all taxable years commencing after December 31, 1999, all land devoted to agricultural use ~~which that~~ is subject to the federal wetlands reserve program shall be classified as native grassland for the purpose of valuation for property tax purposes pursuant to this section. Productivity of land devoted to agricultural use shall be determined for all land classes within each county or homogeneous region based on

an average of the eight calendar years immediately preceding the calendar year ~~which~~ *that* immediately precedes the year of valuation, at a degree of management reflecting median production levels. The director of property valuation shall determine median production levels based on information available from state and federal crop and livestock reporting services, the ~~soil~~ *natural resources* conservation service, and any other sources of data that the director considers appropriate.

The share of net income from land in the various land classes within each county or homogeneous region ~~which~~ *that* is normally received by the landlord shall be used as the basis for determining agricultural income for all land devoted to agricultural use except pasture or rangeland. The net income normally received by the landlord from such land shall be determined by deducting expenses normally incurred by the landlord from the share of the gross income normally received by the landlord. The net rental income normally received by the landlord from pasture or rangeland within each county or homogeneous region shall be used as the basis for determining agricultural income from such land. The net rental income from pasture and rangeland ~~which~~ *that* is normally received by the landlord shall be determined by deducting expenses normally incurred from the gross income normally received by the landlord. Commodity prices, crop yields and pasture and rangeland rental rates and expenses shall be based on an average of the eight calendar years immediately preceding the calendar year ~~which~~ *that* immediately precedes the year of valuation. Net income for every land class within each county or homogeneous region shall be capitalized at a rate determined to be the sum of the contract rate of interest on new federal land bank loans in Kansas on July 1 of each year averaged over a five-year period ~~which~~ *that* includes the five years immediately preceding the calendar year which immediately precedes the year of valuation, plus a percentage not less than 0.75% nor more than 2.75%, as determined by the director of property valuation, except that the capitalization rate calculated for property tax year 2003, and all such years thereafter, shall not be less than 11% nor more than 12%.

Based on the foregoing procedures, the director of property valuation shall make an annual determination of the value of land within each of the various classes of land devoted to agricultural use within each county or homogeneous region and furnish the same to the several county appraisers who shall classify such land according to its current usage and apply the value applicable to such class of land according to the valuation schedules prepared and adopted by the director of property valuation under the provisions of this section.

It is the intent of the legislature that appraisal judgment and appraisal standards be followed and incorporated throughout the process of data collection and analysis and establishment of values pursuant to this section.

For the purpose of the foregoing provisions of this section, the phrase “land devoted to agricultural use” shall mean and include land, regardless of whether it is located in the unincorporated area of the county or within the corporate limits of a city, ~~which~~ *that* is devoted to the production of plants, animals or horticultural products, including, but not limited to: Forages; grains and feed crops; dairy animals and dairy products; poultry and poultry products; beef cattle, sheep, swine and horses; bees and apiary products; trees and forest products; fruits, nuts and berries; vegetables; *and* nursery, floral, ornamental and greenhouse products. “Land devoted to agricultural use” shall include land established as a controlled shooting area pursuant to K.S.A. 32-943, and amendments thereto, which shall be deemed to be land devoted to agricultural use. *“Land devoted to agricultural use” shall include land that is utilized by zoos that hold a valid class C exhibitor license issued by the United States department of agriculture. “Land devoted to agricultural use” shall include land otherwise devoted to the production of plants, animals or horticultural products that is incidentally used for agritourism activity. For purposes of this section, “agritourism activity” means any activity that allows members of the general public, for recreational, entertainment or educational purposes, to view or enjoy rural activities, including, but not limited to, farming activities, ranching activities or historic, cultural or natural attractions. An activity may be an “agritourism activity” whether or not the participant pays to participate in the activity. An activity is not an “agritourism activity” if the participant is paid to participate in the activity.* If a parcel has land devoted to agricultural purposes and land used for suburban residential acreages, rural home sites or farm home sites, the county appraiser shall determine the amount of the parcel used for agricultural purposes and value and assess it accordingly as land devoted to agricultural purposes. The county appraiser shall then determine the amount of the remaining land used for such other purposes and value and assess that land according to its use.

The term “expenses” shall mean those expenses typically incurred in producing the plants, animals and horticultural products described above, including management fees, production costs, maintenance and depreciation of fences, irrigation wells, irrigation laterals and real estate taxes, but the term shall not include those expenses incurred in providing temporary or permanent buildings used in the production of such plants, animals and horticultural products.

The provisions of this act shall not be construed to conflict with any other provisions of law relating to the appraisal of tangible property for taxation purposes including the equalization processes of the county and state board of tax appeals.

Sec. 35. K.S.A. 79-1613 is hereby amended to read as follows: 79-1613. (a) As used in this section:

(1) “Destroyed or substantially destroyed” means damage of any origin sustained by a homestead *or building or improvement* as the direct result of: (A) An earthquake, flood, tornado, fire or storm; or (B) an event or occurrence ~~which~~ *that* the governor of the state of Kansas has declared a disaster, whereby the cost of restoring the structure *damaged as a result of subparagraph (A) or (B)* to its before-damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred.

(2) “Homestead” means the dwelling, or any part thereof, whether owned or rented, ~~which~~ *that* is occupied as a residence by the household and so much of the land surrounding it, as defined as a home site for ad valorem tax purposes, and may consist of a part of a multi-dwelling or multi-purpose building and a part of the land upon which it is built or a manufactured home or mobile home and the land upon which it is situated. “Owned” includes a vendee in possession under a land contract, a life tenant, a beneficiary under a trust and one or more joint tenants or tenants in common.

~~(3) “Public or private buyout” means any buyout from a local, state or federal governmental entity or any non-governmental entity, including, but not limited to, an individual, foundation, trust, association, corporation, limited liability company or partnership.~~

(b) The owner of *any building or improvement listed and assessed for property taxation purposes as real property* or any homestead listed and assessed for property taxation purposes ~~which~~ *that* was destroyed or substantially destroyed ~~due to an earthquake, flood, tornado, fire, storm, or other event or occurrence~~ *which the governor of the state of Kansas has declared a disaster* may make application to the board of county commissioners of the county in which such property is located for the abatement of property taxes levied upon such homestead *or building or improvement* or for a credit against property taxes payable by such owner, as permitted by this section.

(1) If such homestead *or building or improvement* has been so destroyed or substantially destroyed after January 1 of a particular year but prior to August 15 of such year, the owner of such homestead *or building or improvement* may make application to such board of county commissioners for the abatement of property taxes levied upon such homestead *or building or improvement*, or if such property taxes have been paid or partially paid, may make application for the granting of a credit against property taxes payable by such owner during any or all of the next succeeding three taxable years.

(2) If such homestead *or building or improvement* has been so destroyed or substantially destroyed on or after August 15 of a particular year but prior to January 1 of the next succeeding year, the owner of such

homestead *or building or improvement* may make application to such board of county commissioners for the granting of a credit against property taxes payable by such owner during any or all of the next succeeding three taxable years.

(c) An application for relief as permitted by subsection (b) may be made for abatement of property taxes assessed but not yet paid, or for a grant of a credit for assessed property taxes paid or for both, as the case may be, and may be made on or before December 20 of the year next succeeding the year for which such taxes have been assessed.

(d) Upon receipt of any such application, subject to budgetary restraints of the county or taxing subdivision ~~arising from the event or occurrence declared a disaster by the governor~~, the board of county commissioners shall inquire into and make findings regarding, among other things, whether the property is a homestead, as defined in subsection (a), *whether the property is a building or improvement*, whether the homestead *or the building or improvement* was destroyed or substantially destroyed, as defined in subsection (a) and the assessed valuation thereof. If it is determined that an owner of such homestead *or building or improvement* is entitled to an abatement of all or any portion of the property taxes levied against such homestead *or building or improvement* or is entitled to a credit against property taxes payable by such owner in any or all of the next succeeding three years, the board may issue an order so providing.

(e) The county clerk and county treasurer shall in each case of abatement or credit correct their records in accordance therewith and the county clerk shall notify the governing body of any taxing district affected thereby.

(f) The provisions of this section shall be applicable to all taxable years commencing after December 31, ~~2011 2018~~, and all taxable years thereafter.

(g) *Notwithstanding any provision of subsection (c) to the contrary, an application for relief as permitted by subsection (b) may be made for abatement of property taxes assessed but not yet paid, or for a grant of a credit for assessed property taxes paid, or for both, as the case may be, and may be made on or before December 20, 2022, for taxable years 2019 and 2020.*

Sec. 36. K.S.A. 79-2930 is hereby amended to read as follows: 79-2930. (a) Two copies of the budget certificate giving the amount of ad valorem tax to be levied and the total amount of the adopted budget of expenditures by fund, along with itemized budget forms for each and every fund and proof of publication of the notice of budget hearing containing the budget summary shall be presented to the county clerk within the time prescribed by K.S.A. 79-1801, and amendments thereto. ~~Beginning in 2009~~, All such budget information shall be filed electronically with the

county clerk. Where action has been taken under any statute to increase the amount of tax to be levied authorized by law, a statement showing the increased amount or tax levy rate voted, or a copy of the charter resolution or ordinance making the change, shall be attached to the budget each year the change is in effect.

(b) The county clerk shall make any reductions to the ad valorem tax to be levied, compute the tax levy rates based on the final equalized assessed valuation, and enter such on the budget certificate before attesting the budget, except that with regard to levies made under K.S.A. 75-2551, and amendments thereto, such levies shall be based upon the certified preliminary abstract of property values submitted to the director of property valuation pursuant to K.S.A. 79-1604, and amendments thereto. *Beginning in 2022, on or before December 31 each year*, a copy of all budgets for taxing subdivisions of the county, properly attested, shall be filed with the director of accounts and reports, along with a copy of the tax levy rate summary required of the county treasurer by K.S.A. 79-2002, and amendments thereto. ~~Beginning in 2009, All such budget information shall be filed electronically with the director of accounts and reports.~~

(c) Each fund of the adopted budget certified to the county clerk in no event shall exceed the amount of ad valorem tax to be levied and the proposed expenditures of such fund in the proposed budget as originally published. The governing body of each taxing subdivision shall not certify an amount of ad valorem taxes to be levied that is in excess of any tax levy rate or amount limitations or any aggregate tax levy limitations. The governing bodies, in fixing the amount may take into consideration and make allowance for the taxes which may not be paid, such allowance, however, shall not exceed by more than 5% the percentage of delinquency for the preceding tax year.

Sec. 37. K.S.A. 2021 Supp. 79-2988 is hereby amended to read as follows: 79-2988. (a) On or before June 15 each year, the county clerk shall calculate the revenue neutral rate for each taxing subdivision and include such revenue neutral rate on the notice of the estimated assessed valuation provided to each taxing subdivision for budget purposes. The director of accounts and reports shall modify the prescribed budget information form to show the revenue neutral rate.

(b) No tax rate in excess of the revenue neutral rate shall be levied by the governing body of any taxing subdivision unless a resolution or ordinance has been approved by the governing body according to the following procedure:

(1) At least 10 days in advance of the public hearing, the governing body shall publish notice of its proposed intent to exceed the revenue neutral rate by publishing notice: (A) On the website of the governing body, if the governing body maintains a website; and

(B) in a weekly or daily newspaper of the county having a general circulation therein. The notice shall include, but not be limited to, its proposed tax rate, its revenue neutral rate and the date, time and location of the public hearing.

(2) On or before July 20, the governing body shall notify the county clerk of its proposed intent to exceed the revenue neutral rate and provide the date, time and location of the public hearing and its proposed tax rate. For all tax years commencing after December 31, 2021, the county clerk shall notify each taxpayer with property in the taxing subdivision, by mail directed to the taxpayer's last known address, of the proposed intent to exceed the revenue neutral rate at least 10 days in advance of the public hearing. Alternatively, the county clerk may transmit the notice to the taxpayer by electronic means at least 10 days in advance of the public hearing, if such taxpayer and county clerk have consented in writing to service by electronic means. The county clerk shall consolidate the required information for all taxing subdivisions relevant to the taxpayer's property on one notice. The notice shall be in a format prescribed by the director of accounts and reports. The notice shall include, but not be limited to:

(A) The revenue neutral rate of each taxing subdivision relevant to the taxpayer's property;

(B) the proposed property tax revenue needed to fund the proposed budget of the taxing subdivision, if the taxing subdivision notified the county clerk of its proposed intent to exceed its revenue neutral rate;

(C) the proposed tax rate based upon the proposed budget and the current year's total assessed valuation of the taxing subdivision, if the taxing subdivision notified the county clerk of its proposed intent to exceed its revenue neutral rate;

(D) *the percentage by which the proposed tax rate exceeds the revenue neutral rate;*

(E) the tax rate and property tax of each taxing subdivision on the taxpayer's property from the previous year's tax statement;

~~(E)~~(F) the appraised value and assessed value of the taxpayer's property for the current year;

~~(F)~~(G) the estimates of the tax for the current tax year on the taxpayer's property based on the revenue neutral rate of each taxing subdivision and any proposed tax rates that exceed the revenue neutral rates;

~~(G)~~(H) the difference between the estimates of tax based on the proposed tax rate and the revenue neutral rate on the taxpayer's property described in subparagraph-~~(F)~~ (G) for any taxing subdivision that has a proposed tax rate that exceeds its revenue neutral rate; and

~~(H)~~(I) the date, time and location of the public hearing of the taxing subdivision, if the taxing subdivision notified the county clerk of its proposed intent to exceed its revenue neutral rate.

Although the state of Kansas is not a taxing subdivision for purposes of this section, the notice shall include a statement of the statutory mill levies imposed by the state and the estimate of the tax for the current year on the taxpayer's property based on such levies.

(3) The public hearing to consider exceeding the revenue neutral rate shall be held not sooner than August 20 and not later than September 20. The governing body shall provide interested taxpayers desiring to be heard an opportunity to present oral testimony within reasonable time limits and without unreasonable restriction on the number of individuals allowed to make public comment. The public hearing may be conducted in conjunction with the proposed budget hearing pursuant to K.S.A. 79-2929, and amendments thereto, if the governing body otherwise complies with all requirements of this section. Nothing in this section shall be construed to prohibit additional public hearings that provide additional opportunities to present testimony or public comment prior to the public hearing required by this section.

(4) A majority vote of the governing body, by the adoption of a resolution or ordinance to approve exceeding the revenue neutral rate, shall be required prior to adoption of a proposed budget that will result in a tax rate in excess of the revenue neutral rate. Such vote of the governing body shall be conducted at the public hearing after the governing body has heard from interested taxpayers *and shall be a roll call vote*. If the governing body approves exceeding the revenue neutral rate, the governing body shall not adopt a budget that results in a tax rate in excess of its proposed tax rate as stated in the notice provided pursuant to this section. *A copy of the resolution or ordinance to approve exceeding the revenue neutral rate and a certified copy of any roll call vote reporting, at a minimum, the name and vote of each member of the governing body related to exceeding the revenue neutral rate, whether approved or not, shall be included with the adopted budget, budget certificate and other budget forms filed with the county clerk and the director of accounts and reports and shall be published on the website of the department of administration.*

(c) (1) Any governing body subject to the provisions of this section that does not comply with subsection (b) shall refund to taxpayers any property taxes over-collected based on the amount of the levy that was in excess of the revenue neutral rate.

(2) *Any taxpayer of the taxing subdivision that is the subject of the complaint or such taxpayer's duly authorized representative may file a complaint with the state board of tax appeals by filing a written complaint, on a form prescribed by the board, that contains the facts that the complaining party believes show that a governing body of a taxing subdivision did not comply with the provisions of subsection (b) and that a reduction or refund of taxes is appropriate. The complaining party shall provide*

a copy of such complaint to the governing body of the taxing subdivision making the levy that is the subject of the complaint. Notwithstanding K.S.A. 74-2438a, and amendments thereto, no filing fee shall be charged by the executive director of the state board of tax appeals for a complaint filed pursuant to this paragraph. The governing body of the taxing subdivision making the levy that is the subject of the complaint shall be a party to the proceeding. Notice of any summary proceeding or hearing shall be served upon such governing body, the county clerk, the director of accounts and reports and the complaining party. It shall be the duty of the governing body to initiate the production of evidence to demonstrate, by a preponderance of the evidence, the validity of such levy. If upon a summary proceeding or hearing, it shall be made to appear to the satisfaction of the board that the governing body of the taxing subdivision did not comply with subsection (b), the state board of tax appeals shall order such governing body to refund to taxpayers the amount of property taxes over collected or reduce the taxes levied, if uncollected. The provisions of this subsection paragraph shall not be construed as prohibiting any other remedies available under the law.

(d) On and after January 1, 2022, in the event that the 20 mills levied by a school district pursuant to K.S.A. 72-5142, and amendments thereto, increases the property tax revenue generated for the purpose of calculating the revenue neutral rate from the previous tax year and such amount of increase in revenue generated from the 20 mills is the only reason the school district would exceed the total property tax revenue from the prior year, the school district shall be deemed to not have exceeded the revenue neutral rate in levying a tax rate in excess of the revenue neutral rate to take into account the increase in revenue from only the 20 mills.

(e) (1) Notwithstanding any other provision of law to the contrary, if the governing body of a taxing subdivision must conduct a public hearing to approve exceeding the revenue neutral rate under this section, the governing body of the taxing subdivision shall certify, on or before October 1, to the proper county clerk the amount of ad valorem tax to be levied.

(2) If a governing body of a taxing subdivision did not comply with the provisions of subsection (b) and certifies to the county clerk an amount of ad valorem tax to be levied that would result in a tax rate in excess of its revenue neutral rate, the county clerk shall reduce the ad valorem tax to be levied to the amount resulting from such taxing subdivision's revenue neutral rate.

(e)(f) As used in this section:

(1) "Taxing subdivision" means any political subdivision of the state that levies an ad valorem tax on property.

(2) "Revenue neutral rate" means the tax rate for the current tax year that would generate the same property tax revenue as levied the previous

tax year using the current tax year's total assessed valuation. To calculate the revenue neutral rate, the county clerk shall divide the property tax revenue for such taxing subdivision levied for the previous tax year by the total of all taxable assessed valuation in such taxing subdivision for the current tax year, and then multiply the quotient by 1,000 to express the rate in mills. The revenue neutral rate shall be expressed to the third decimal place.

~~(f)~~(g) In the event that a county clerk incurred costs of printing and postage that were not reimbursed pursuant to K.S.A. 2021 Supp. 79-2989, and amendments thereto, such county clerk may seek reimbursement from all taxing subdivisions required to send the notice. Such costs shall be shared proportionately by all taxing subdivisions that were included on the same notice based on the total property tax levied by each taxing subdivision. Payment of such costs shall be due to the county clerk by December 31.

~~(g) The provisions of this section shall take effect and be in force from and after January 1, 2021.~~

(h) *The department of administration or the director of accounts and reports shall make copies of adopted budgets, budget certificates, other budget documents and revenue neutral rate documents available to the public on the department of administration's website on a permanently accessible web page that may be accessed via a conspicuous link to that web page placed on the front page of the department's website. The department of administration or the director of accounts and reports shall also make the following information for each tax year available on such website:*

- (1) A list of taxing subdivisions by county;*
- (2) whether each taxing subdivision conducted a hearing to consider exceeding its revenue neutral rate;*
- (3) the revenue neutral rate of each taxing subdivision;*
- (4) the tax rate resulting from the adopted budget of each taxing subdivision; and*
- (5) the percent change between the revenue neutral rate and the tax rate for each taxing subdivision.*

Sec. 38. K.S.A. 79-3220 is hereby amended to read as follows: 79-3220. (a) (1) Each individual required to file a federal income tax return and any other individual whose gross income exceeds the sum of such individual's applicable Kansas standard deduction amount and Kansas personal exemption amount shall each make and sign a return or statement stating specifically such items as are required by the forms and rules and regulations of the secretary of revenue. If any individual is unable to make a return, the return shall be made by a duly authorized agent or by the guardian or other person charged with the care of the

person or property of such taxpayer. Notwithstanding any provision of the Kansas income tax act to the contrary, all individuals not required to file a Kansas income tax return hereunder shall not be liable for any tax imposed pursuant to such act.

(2) In accordance with the provisions of K.S.A. 75-5151a, and amendments thereto, an individual who is required to file a return may file such return by electronic means in a manner approved by the secretary of revenue. A paid preparer who prepares 50 or more returns per year shall file by electronic means not less than 90% of such returns eligible for electronic filing. The requirements of this subsection may be waived by the secretary of revenue for a paid preparer if the paid preparer demonstrates a hardship in complying with the requirements of this subsection.

(3) *For purposes of this subsection, a nonresident individual or fiduciary whose only source of income from this state is income from an electing pass-through entity under the salt parity act shall not be required to file a return.*

(b) Every corporation subject to taxation under this act, including, but not limited to, all farmers, fruit growers, or like associations organized and operated on a cooperative basis, except electric cooperative exclusively engaged in the manufacture or distribution of electric power for their members, shall make a return, or statement stating specifically such items as may be required by the forms and regulations of the secretary of revenue. The return shall be signed by the president, vice-president, treasurer, assistant treasurer, chief accounting officer, or any other officer so authorized to act. The fact that an individual's name is signed on a return shall be prima facie evidence that such individual is authorized to sign such return on behalf of such corporation. In cases where receivers, trustees in bankruptcy or assignees are operating the property or business of corporations, such receivers, trustees, or assignees shall make returns for such corporations in the same manner and form as corporations are required to make returns. Any tax due on the basis of such returns shall be collected in the same manner as if collected from the corporation for which the return is made.

(c) Every fiduciary, except a receiver appointed by authority of law in possession of part only of the property of an individual shall make and sign a return for each of the individuals, estates, or trusts for which the fiduciary acts, when such returns are required by the provisions of this act, stating specifically such items as may be required by the forms and regulations of the secretary of revenue. In the case of joint fiduciaries, whether residents or nonresidents, a return may be made by any one and shall be sufficient compliance with the above requirements. Any fiduciary required to make a return under this act shall be subject to all of the provisions of law which apply to individuals.

(d) Every partnership shall make a return for each taxable year, stating specifically such items as may be required by the forms and regulations of the secretary of revenue. The returns shall be signed by any one of the partners.

Sec. 39. K.S.A. 79-32,111 is hereby amended to read as follows: 79-32,111. (a) The amount of income tax paid to another state by a resident individual, resident estate or resident trust on income derived from sources in another state, and included in Kansas adjusted gross income, shall be allowed as a credit against the tax computed under the provisions of this act. Such credit shall not be greater in proportion to the tax computed under this act than the Kansas adjusted gross income for such year derived in another state while such taxpayer is a resident of this state is to the total Kansas adjusted gross income of the taxpayer. As used in this subsection, "state" ~~shall have the meaning ascribed thereto~~ *means the same as defined by subsection (h) of K.S.A. 79-3271(i), and amendments thereto.* The credit allowable hereunder for income tax paid to a foreign country or political subdivision thereof shall not exceed the difference of such income tax paid less the credit allowable for such income tax paid by the federal internal revenue code. No redetermination of income tax paid for the purposes of determining the credit allowed by this subsection shall be required for the taxable year for which an income tax refund payment pursuant to the provisions of section 18 of article 10 of the Missouri constitution is made, but the income tax paid allowable for credit in the next following taxable year shall be reduced by the amount of such refund amount, except that, for tax year 1998, the income tax paid allowable for credit shall be reduced by the amount of such refunds made for all taxable years prior to tax year 1998.

(b) There shall be allowed as a credit against the tax computed under the provisions of the Kansas income tax act, and amendments thereto, on the Kansas taxable income of an individual, corporation or fiduciary the amount determined under the provisions of K.S.A. 79-32,153 to 79-32,158, and amendments thereto.

(c) *For purposes of subsection (a), the amount of income tax paid to another state by an S corporation or partnership that is included in Kansas adjusted gross income of a resident individual, resident estate or resident trust who is a member, shareholder or partner of such S corporation or partnership shall be considered income tax paid to another state by such resident individual, resident estate or resident trust.*

Sec. 40. K.S.A. 79-32,121 is hereby amended to read as follows: 79-32,121. (a) An individual shall be allowed a Kansas exemption of \$2,250 ~~for tax year 1998, and all tax years thereafter,~~ for each exemption for which such individual is entitled to a deduction for the taxable year for federal income tax purposes. ~~In addition to the exemptions authorized in~~

the foregoing provision, an individual filing a federal income tax return under the status of head of household, as the same is defined by 26 U.S.C. § 2(b), shall be allowed an additional Kansas exemption of \$2,250 for tax year 1998.

(b) *In addition to the exemptions provided in subsection (a), any individual who has been honorably discharged from active service in any branch of the armed forces of the United States and who is certified by the United States department of veterans affairs or its successor to be in receipt of disability compensation at the 100% rate, if the disability is permanent and was sustained through military action or accident or resulted from disease contracted while in such active service, such individual shall be allowed an additional Kansas exemption of \$2,250 for tax year 2023 and all tax years thereafter.*

Sec. 41. K.S.A. 79-32,182b is hereby amended to read as follows: 79-32,182b. (a) For all taxable years commencing after December 31, ~~2000~~ 2022, a credit shall be allowed against the tax imposed by the Kansas income tax act on the Kansas taxable income of a taxpayer for expenditures in research and development activities conducted within this state in an amount equal to ~~6 $\frac{1}{2}$ %~~ 10% of the amount by which the amount expended for such activities in the taxable year of the taxpayer exceeds the taxpayer's average of the actual expenditures for such purposes made in such taxable year and the next preceding two taxable years.

(b) In any one taxable year, the amount of such credit allowable for deduction from the taxpayer's tax liability shall not exceed 25% of the total amount of such credit plus any applicable carry forward amount. The amount by which that portion of the credit allowed by subsections (a) and (b) to be claimed in any one taxable year exceeds the taxpayer's tax liability in such year may be carried forward until the total amount of the credit is used.

(c) As used in this section, the term "expenditures in research and development activities" means expenditures made for such purposes, other than expenditures of moneys made available to the taxpayer pursuant to federal or state law, which are treated as expenses allowable for deduction under the provisions of the federal internal revenue code of 1986, as amended, except that for taxable years commencing after December 31, 2013, expenditures in research and development activities shall not include any expenditures for the performance of any abortion, as defined in K.S.A. 65-6701, and amendments thereto.

(d) ~~For tax year 2013 and all tax years thereafter, the income tax credit provided by this section shall only be available to taxpayers subject to the income tax on corporations imposed pursuant to subsection (c) of K.S.A. 79-32,110, and amendments thereto, and shall be applied only against such taxpayer's corporate income tax liability~~ *For tax year 2023 and all*

tax years thereafter, the income tax credit allowed pursuant to this section shall be transferable by a taxpayer without a current tax liability. The tax credit may be transferred to any person and be claimed by the transferee as a credit against the transferee's Kansas income tax liability in the tax year when it was transferred. The credit shall be claimed and may be carried forward by the transferee as provided and limited by subsection (b). No person shall be entitled to a refund for the transferred tax credit. Only the full credit may be transferred, and the credit may only be transferred one time. Documentation of any credit acquired by transfer shall be provided by the taxpayer or the transferee in the manner required by the secretary of revenue.

Sec. 42. K.S.A. 79-32,261 is hereby amended to read as follows: 79-32,261. (a) (1) On and after July 1, 2008, any taxpayer who contributes in the manner prescribed by this ~~section~~ *paragraph* to a community college located in Kansas for capital improvements, to a technical college for deferred maintenance or the purchase of technology or equipment or to a postsecondary educational institution located in Kansas for deferred maintenance, shall be allowed a credit against the tax imposed by the Kansas income tax act, the premium tax or privilege fees imposed pursuant to K.S.A. 40-252, and amendments thereto, or the privilege tax as measured by net income of financial institutions imposed pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto. The tax credit allowed by this ~~section~~ *paragraph* is applicable for the tax year 2008 for any contributions made on and after July 1, 2008, and for the tax years 2009, 2010, 2011 and 2012 for any contributions made during the entire tax year. The amount of the credit allowed by this ~~section~~ *paragraph* shall not exceed 60% of the total amount contributed during the taxable year by the taxpayer to a community college or a technical college located in Kansas for such purposes. The amount of the credit allowed by this ~~section~~ *paragraph* shall not exceed 50% of the total amount contributed during the taxable year by the taxpayer to a postsecondary educational institution for such purposes. If the amount of the credit allowed by this ~~section~~ *paragraph* for a taxpayer who contributes to a community college or a technical college exceeds the taxpayer's income tax liability imposed by the Kansas income tax act, such excess amount shall be refunded to the taxpayer. If the amount of the tax credit for a taxpayer who contributes to a postsecondary educational institution exceeds the taxpayer's income tax liability for the taxable year, the amount which exceeds the tax liability may be carried over for deduction from the taxpayer's income tax liability in the next succeeding taxable year or years until the total amount of the tax credit has been deducted from tax liability, except that no such tax credit shall be carried over for deduction after the third taxable year succeeding the taxable year in which the contribution

is made. Prior to the issuance of any tax credits pursuant to this ~~section~~ *paragraph*, the structure of the process in which contributions received by a community college, a technical college or a postsecondary educational institution qualify as tax credits allowed and issued pursuant to this ~~section~~ *paragraph* shall be developed by a community college, a technical college and a postsecondary educational institution in consultation with the secretary of revenue and the foundation or endowment association of any such community college, technical college or postsecondary educational institution in a manner that complies with requirements specified in the federal internal revenue code of 1986, as amended, so that contributions qualify as charitable contributions allowable as deductions from federal adjusted gross income.

(2) *On and after July 1, 2022, any taxpayer who contributes in the manner prescribed by this paragraph to a community college or technical college located in Kansas for capital improvements, deferred maintenance or the purchase of technology or equipment shall be allowed a credit against the tax imposed by the Kansas income tax act, the premium tax or privilege fees imposed pursuant to K.S.A. 40-252, and amendments thereto, or the privilege tax as measured by net income of financial institutions imposed pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto. The tax credit allowed by this paragraph is applicable for the tax year 2022 for any contributions made on and after July 1, 2022, and for the tax years 2023, 2024, 2025 and 2026 for any contributions made during the entire tax year. The amount of the credit allowed by this paragraph shall equal 60% of the total amount contributed during the taxable year by the taxpayer to a community college or a technical college located in Kansas for such purposes. Prior to the issuance of any tax credits pursuant to this paragraph, the structure of the process in which contributions received by a community college or technical college qualify as tax credits allowed and issued pursuant to this paragraph shall be developed by a community college and technical college in consultation with the secretary of revenue and the foundation or endowment association of any such community college or technical college in a manner that complies with requirements specified in the federal internal revenue code of 1986, as amended, so that contributions qualify as charitable contributions allowable as deductions from federal adjusted gross income.*

(b) (1) Upon receipt of any ~~such~~ contributions to a community college made pursuant to the provisions of ~~this section~~ *subsection (a)(1)*, the treasurer of the community college shall deposit such contributions to the credit of the capital outlay fund of such community college established as provided by K.S.A. 71-501a, and amendments thereto. Expenditures from such fund shall be made for the purposes described in ~~subsection (a)~~ *of K.S.A. 71-501(a)*, and amendments thereto, except that expenditures

shall not be made from such fund for new construction or the acquisition of real property for use as building sites or for educational programs.

(2) Upon receipt of any ~~such~~ contributions to a technical college made pursuant to the provisions of ~~this section~~ *subsection (a)(1)*, such contributions shall be deposited to the credit of a deferred maintenance fund or a technology and equipment fund established by the technical college which received the contribution. Expenditures from such fund shall be made only for the purpose as provided in ~~this~~ *subsection (b)(1)*.

(3) Upon receipt of any such contributions to a postsecondary educational institution made pursuant to the provisions of ~~this section~~ *subsection (a)(1)*, such contributions shall be deposited to the credit of the appropriate deferred maintenance support fund of the postsecondary educational institution ~~which~~ *that* received the contribution. Expenditures from such fund shall be made only for the purposes designated for such fund pursuant to law.

(4) *Upon receipt of any such contributions to a community college or technical college made pursuant to the provisions of subsection (a)(2), the treasurer of the community college or technical college shall deposit such contributions to the credit of the capital outlay fund of such community college or technical college established as provided by K.S.A. 71-501a, and amendments thereto. Expenditures from such fund shall be made for the purposes designated for such fund pursuant to law.*

(c) (1) In no event shall the total amount of credits allowed under ~~this section~~ *subsection (a)(1)* for taxpayers who contribute to any one such community college or technical college exceed the following amounts: For the tax year 2008, an amount not to exceed \$78,125; for the tax year 2009, an amount not to exceed \$156,250; and for the tax years 2010, 2011 and 2012, an amount not to exceed \$208,233.33.

(2) In no event shall the total of credits allowed under ~~this section~~ *subsection (a)(1)* for taxpayers who contribute to postsecondary educational institutions exceed the following amounts: For the tax year 2008, an amount not to exceed \$5,625,000; for the tax year 2009, an amount not to exceed \$11,250,000; and for the tax years 2010, 2011 and 2012, an amount not to exceed \$15,000,000. Except as otherwise provided, the allocation of such tax credits for each individual state educational institution shall be determined by the state board of regents in consultation with the secretary of revenue and the university foundation or endowment association of each postsecondary educational institution, and such determination shall be completed prior to the issuance of any tax credits pursuant to ~~this section~~ *subsection (a)(1)*. Not more than 40% of the total of credits allowed under ~~this section~~ *subsection (a)(1)* shall be allocated to any one postsecondary educational institution unless all such postsecondary educational institutions approve an allocation to any one such postsecondary

educational institution which exceeds 40% of the total of such credits allowed under ~~this section~~ subsection (a)(1).

(3) *For the tax years 2022 through 2026, the amount of such credit awarded under subsection (a)(2) for each taxpayer shall not exceed \$250,000 per tax year.*

(4) *In no event shall the total of credits allowed under subsection (a)(2) for contributions to any one community college or technical college exceed \$500,000 per tax year.*

(5) *In no event shall the total of credits allowed under subsection (a)(2) exceed \$5,000,000 for each tax year that the credit remains in effect.*

(d) As used in this section: (1) “Community college” means a community college established under the provisions of the community college act;

(2) “deferred maintenance” means the maintenance, repair, reconstruction or rehabilitation of a building located at a technical college or a postsecondary educational institution which has been deferred, any utility systems relating to such building, any life-safety upgrades to such building and any improvements necessary to be made to such building in order to comply with the requirements of the Americans with disabilities act or other federal or state law, except that for taxable years commencing after December 31, 2013, deferred maintenance shall not include any maintenance, repair, reconstruction or rehabilitation of any building in which any abortion, as defined in K.S.A. 65-6701, and amendments thereto, is performed;

(3) “postsecondary educational institution” means the university of Kansas, Kansas state university of agriculture and applied science, Wichita state university, Emporia state university, Pittsburg state university, Fort Hays state university and Washburn university of Topeka; and

(4) “technical college” means a technical college as designated pursuant to K.S.A. 74-32,458, 74-32,460, 74-32,461, 74-32,462 ~~and~~ 74-32,464, ~~and~~ 74-32,465, and amendments thereto, *and the institute of technology at Washburn university.*

(e) (1) Any taxpayer not subject to Kansas income, privilege or premiums tax who contributes to a community college, technical college or postsecondary educational institution, hereinafter designated the transferor, may sell, assign, convey or otherwise transfer tax credits allowed and earned pursuant to this section. The sale price of a tax credit shall be at least 50% of the full value of the credit. Such credit shall be deemed to be allowed and earned by any such taxpayer which is only disqualified therefrom by reason of not being subject to such Kansas taxes. The taxpayer acquiring earned credits, hereinafter designated the transferee, may use the amount of the acquired credits to offset up to 100% of the taxpayer's income, privilege or premiums tax liability for the taxable year in which

such acquisition was made. Such credits may be sold or transferred only one time and, if sold or transferred, shall be transferred in the tax year such credit is earned or the two successive tax years. A transferred credit shall be claimed in the year purchased. The transferor shall enter into a written agreement with the transferee establishing the terms and conditions of the sale or transfer and shall perfect such transfer by notifying the secretary of revenue in writing within 30 calendar days following the effective date of the transfer, subject to the review and approval or denial of such transfer by the secretary of revenue. The transferor and transferee shall provide any information pertaining to the sale or transfer as may be required by the secretary of revenue to administer and carry out the provisions of this section. The amount received by the transferor of such tax credit shall be taxable as income of the transferor, and the excess of the value of such credit over the amount paid by the transferee for such credit shall be taxable as income of the transferee.

(2) *The provisions of this subsection shall not apply to tax credits earned pursuant to subsection (a)(2).*

(f) The secretary of revenue shall submit an annual report to the legislature to assist the legislature in the evaluation of the utilization of any credits claimed pursuant to this act, including information specific as to each community college, technical college or postsecondary educational institution. Such report shall be due on or before the first day of the legislative session following the tax year in which the credits were claimed.

(g) The secretary of revenue shall adopt rules and regulations necessary to administer the provisions of this section.

Sec. 43. K.S.A. 2021 Supp. 79-32,267 is hereby amended to read as follows: 79-32,267. (a) For taxable years commencing after December 31, 2011, and before January 1, ~~2024~~ 2027, there shall be allowed as a credit against the tax liability of a resident individual taxpayer an amount equal to the resident individual's income tax liability under the provisions of the Kansas income tax act, when the resident individual:

(1) Establishes domicile in a rural opportunity zone on or after July 1, 2011, and prior to January 1, ~~2023~~ 2026, and was domiciled outside this state for five or more years immediately prior to establishing their domicile in a rural opportunity zone in this state;

(2) had Kansas source income less than \$10,000 in any one year for five or more years immediately prior to establishing their domicile in a rural opportunity zone in this state; and

(3) was domiciled in a rural opportunity zone during the entire taxable year for which such credit is claimed.

(b) A resident individual may claim the credit authorized by this section for not more than five consecutive years following establishment of their domicile in a rural opportunity zone.

(c) The maximum amount of any refund under this section shall be equal to the amount withheld from the resident individual's wages or payments other than wages pursuant to K.S.A. 79-3294 et seq., and amendments thereto, or paid by the resident individual as estimated taxes pursuant to K.S.A. 79-32,101 et seq., and amendments thereto.

(d) No credit shall be allowed under this section if:

(1) The resident individual's income tax return on which the credit is claimed is not timely filed, including any extension; or

(2) the resident individual is delinquent in filing any return with, or paying any tax due to, the state of Kansas or any political subdivision thereof.

(e) This section shall be a part of and supplemental to the Kansas income tax act.

Sec. 44. K.S.A. 2021 Supp. 79-3602 is hereby amended to read as follows: 79-3602. Except as otherwise provided, as used in the Kansas retailers' sales tax act:

(a) "Agent" means a person appointed by a seller to represent the seller before the member states.

(b) "Agreement" means the multistate agreement entitled the streamlined sales and use tax agreement approved by the streamlined sales tax implementing states at Chicago, Illinois on November 12, 2002.

(c) "Alcoholic beverages" means beverages that are suitable for human consumption and contain 0.05% or more of alcohol by volume.

(d) "Certified automated system (CAS)" means software certified under the agreement to calculate the tax imposed by each jurisdiction on a transaction, determine the amount of tax to remit to the appropriate state and maintain a record of the transaction.

(e) "Certified service provider (CSP)" means an agent certified under the agreement to perform all the seller's sales and use tax functions, other than the seller's obligation to remit tax on its own purchases.

(f) "Computer" means an electronic device that accepts information in digital or similar form and manipulates it for a result based on a sequence of instructions.

(g) "Computer software" means a set of coded instructions designed to cause a computer or automatic data processing equipment to perform a task.

(h) "Delivered electronically" means delivered to the purchaser by means other than tangible storage media.

(i) "Delivery charges" means charges by the seller of personal property or services for preparation and delivery to a location designated by the purchaser of personal property or services including, but not limited to, transportation, shipping, postage, handling, crating and packing. Delivery charges shall not include charges for delivery of direct mail if the charges

are separately stated on an invoice or similar billing document given to the purchaser.

(j) “Direct mail” means printed material delivered or distributed by United States mail or other delivery services to a mass audience or to addressees on a mailing list provided by the purchaser or at the direction of the purchaser when the cost of the items are not billed directly to the recipients. Direct mail includes tangible personal property supplied directly or indirectly by the purchaser to the direct mail seller for inclusion in the package containing the printed material. Direct mail does not include multiple items of printed material delivered to a single address.

(k) “Director” means the state director of taxation.

(l) “Educational institution” means any nonprofit school, college and university that offers education at a level above the 12th grade, and conducts regular classes and courses of study required for accreditation by, or membership in, the higher learning commission, the state board of education, or that otherwise qualify as an “educational institution,” as defined by K.S.A. 74-50,103, and amendments thereto. Such phrase shall include: (1) A group of educational institutions that operates exclusively for an educational purpose; (2) nonprofit endowment associations and foundations organized and operated exclusively to receive, hold, invest and administer moneys and property as a permanent fund for the support and sole benefit of an educational institution; (3) nonprofit trusts, foundations and other entities organized and operated principally to hold and own receipts from intercollegiate sporting events and to disburse such receipts, as well as grants and gifts, in the interest of collegiate and intercollegiate athletic programs for the support and sole benefit of an educational institution; and (4) nonprofit trusts, foundations and other entities organized and operated for the primary purpose of encouraging, fostering and conducting scholarly investigations and industrial and other types of research for the support and sole benefit of an educational institution.

(m) “Electronic” means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic or similar capabilities.

(n) “Food and food ingredients” means substances, whether in liquid, concentrated, solid, frozen, dried or dehydrated form, that are sold for ingestion or chewing by humans and are consumed for their taste or nutritional value. “Food and food ingredients” does not include alcoholic beverages or tobacco.

(o) “Gross receipts” means the total selling price or the amount received as defined in this act, in money, credits, property or other consideration valued in money from sales at retail within this state; and embraced within the provisions of this act. The taxpayer, may take credit in the report of gross receipts for: (1) An amount equal to the selling price of property returned by the purchaser when the full sale price thereof, including

the tax collected, is refunded in cash or by credit; and (2) an amount equal to the allowance given for the trade-in of property.

(p) “Ingredient or component part” means tangible personal property that is necessary or essential to, and that is actually used in and becomes an integral and material part of tangible personal property or services produced, manufactured or compounded for sale by the producer, manufacturer or compounder in its regular course of business. The following items of tangible personal property are hereby declared to be ingredients or component parts, but the listing of such property shall not be deemed to be exclusive nor shall such listing be construed to be a restriction upon, or an indication of, the type or types of property to be included within the definition of “ingredient or component part” as herein set forth:

(1) Containers, labels and shipping cases used in the distribution of property produced, manufactured or compounded for sale that are not to be returned to the producer, manufacturer or compounder for reuse.

(2) Containers, labels, shipping cases, paper bags, drinking straws, paper plates, paper cups, twine and wrapping paper used in the distribution and sale of property taxable under the provisions of this act by wholesalers and retailers and that is not to be returned to such wholesaler or retailer for reuse.

(3) Seeds and seedlings for the production of plants and plant products produced for resale.

(4) Paper and ink used in the publication of newspapers.

(5) Fertilizer used in the production of plants and plant products produced for resale.

(6) Feed for animals, fowl and aquatic plants and animals, the primary purpose of which is use in agriculture or aquaculture, as defined in K.S.A. 47-1901, and amendments thereto, the production of food for human consumption, the production of animal, dairy, poultry or aquatic plant and animal products, fiber, fur, or the production of offspring for use for any such purpose or purposes.

(q) “Isolated or occasional sale” means the nonrecurring sale of tangible personal property, or services taxable hereunder by a person not engaged at the time of such sale in the business of selling such property or services. Any religious organization that makes a nonrecurring sale of tangible personal property acquired for the purpose of resale shall be deemed to be not engaged at the time of such sale in the business of selling such property. Such term shall include: (1) Any sale by a bank, savings and loan institution, credit union or any finance company licensed under the provisions of the Kansas uniform consumer credit code of tangible personal property that has been repossessed by any such entity; and (2) any sale of tangible personal property made by an auctioneer or agent on behalf of not more than two principals or households if such sale is nonre-

curing and any such principal or household is not engaged at the time of such sale in the business of selling tangible personal property.

(r) “Lease or rental” means any transfer of possession or control of tangible personal property for a fixed or indeterminate term for consideration. A lease or rental may include future options to purchase or extend.

(1) Lease or rental does not include: (A) A transfer of possession or control of property under a security agreement or deferred payment plan that requires the transfer of title upon completion of the required payments;

(B) a transfer of possession or control of property under an agreement that requires the transfer of title upon completion of required payments and payment of an option price does not exceed the greater of \$100 or 1% of the total required payments; or

(C) providing tangible personal property along with an operator for a fixed or indeterminate period of time. A condition of this exclusion is that the operator is necessary for the equipment to perform as designed. For the purpose of this subsection, an operator must do more than maintain, inspect or set-up the tangible personal property.

(2) Lease or rental does include agreements covering motor vehicles and trailers where the amount of consideration may be increased or decreased by reference to the amount realized upon sale or disposition of the property as defined in 26 U.S.C. § 7701(h)(1).

(3) This definition shall be used for sales and use tax purposes regardless if a transaction is characterized as a lease or rental under generally accepted accounting principles, the internal revenue code, the uniform commercial code, K.S.A. 84-1-101 et seq., and amendments thereto, or other provisions of federal, state or local law.

(4) This definition will be applied only prospectively from the effective date of this act and will have no retroactive impact on existing leases or rentals.

(s) “Load and leave” means delivery to the purchaser by use of a tangible storage media where the tangible storage media is not physically transferred to the purchaser.

(t) “Member state” means a state that has entered in the agreement, pursuant to provisions of article VIII of the agreement.

(u) “Model 1 seller” means a seller that has selected a CSP as its agent to perform all the seller’s sales and use tax functions, other than the seller’s obligation to remit tax on its own purchases.

(v) “Model 2 seller” means a seller that has selected a CAS to perform part of its sales and use tax functions, but retains responsibility for remitting the tax.

(w) “Model 3 seller” means a seller that has sales in at least five member states, has total annual sales revenue of at least \$500,000,000, has a proprietary system that calculates the amount of tax due each jurisdiction

and has entered into a performance agreement with the member states that establishes a tax performance standard for the seller. As used in this subsection a seller includes an affiliated group of sellers using the same proprietary system.

(x) “Municipal corporation” means any city incorporated under the laws of Kansas.

(y) “Nonprofit blood bank” means any nonprofit place, organization, institution or establishment that is operated wholly or in part for the purpose of obtaining, storing, processing, preparing for transfusing, furnishing, donating or distributing human blood or parts or fractions of single blood units or products derived from single blood units, whether or not any remuneration is paid therefor, or whether such procedures are done for direct therapeutic use or for storage for future use of such products.

(z) “Persons” means any individual, firm, copartnership, joint adventure, association, corporation, estate or trust, receiver or trustee, or any group or combination acting as a unit, and the plural as well as the singular number; and shall specifically mean any city or other political subdivision of the state of Kansas engaging in a business or providing a service specifically taxable under the provisions of this act.

(aa) “Political subdivision” means any municipality, agency or subdivision of the state that is, or shall hereafter be, authorized to levy taxes upon tangible property within the state or that certifies a levy to a municipality, agency or subdivision of the state that is, or shall hereafter be, authorized to levy taxes upon tangible property within the state. Such term also shall include any public building commission, housing, airport, port, metropolitan transit or similar authority established pursuant to law and the horsethief reservoir benefit district established pursuant to K.S.A. 82a-2201, and amendments thereto.

(bb) “Prescription” means an order, formula or recipe issued in any form of oral, written, electronic or other means of transmission by a duly licensed practitioner authorized by the laws of this state.

(cc) “Prewritten computer software” means computer software, including prewritten upgrades, that is not designed and developed by the author or other creator to the specifications of a specific purchaser. The combining of two or more prewritten computer software programs or prewritten portions thereof does not cause the combination to be other than prewritten computer software. Prewritten computer software includes software designed and developed by the author or other creator to the specifications of a specific purchaser when it is sold to a person other than the purchaser. Where a person modifies or enhances computer software of which the person is not the author or creator, the person shall be deemed to be the author or creator only of such person’s modifications or enhancements. Prewritten computer software or a prewritten portion

thereof that is modified or enhanced to any degree, where such modification or enhancement is designed and developed to the specifications of a specific purchaser, remains prewritten computer software, except that where there is a reasonable, separately stated charge or an invoice or other statement of the price given to the purchaser for such modification or enhancement, such modification or enhancement shall not constitute prewritten computer software.

(dd) “Property which is consumed” means tangible personal property that is essential or necessary to and that is used in the actual process of and consumed, depleted or dissipated within one year in: (1) The production, manufacture, processing, mining, drilling, refining or compounding of tangible personal property; (2) the providing of services; (3) the irrigation of crops, for sale in the regular course of business; or (4) the storage or processing of grain by a public grain warehouse or other grain storage facility, and which is not reusable for such purpose. The following is a listing of tangible personal property, included by way of illustration but not of limitation, that qualifies as property that is consumed:

(A) Insecticides, herbicides, germicides, pesticides, fungicides, fumigants, antibiotics, biologicals, pharmaceuticals, vitamins and chemicals for use in commercial or agricultural production, processing or storage of fruit, vegetables, feeds, seeds, grains, animals or animal products whether fed, injected, applied, combined with or otherwise used;

(B) electricity, gas and water; and

(C) petroleum products, lubricants, chemicals, solvents, reagents and catalysts.

(ee) “Purchase price” applies to the measure subject to use tax and has the same meaning as sales price.

(ff) “Purchaser” means a person to whom a sale of personal property is made or to whom a service is furnished.

(gg) “Quasi-municipal corporation” means any county, township, school district, drainage district or any other governmental subdivision in the state of Kansas having authority to receive or hold moneys or funds.

(hh) “Registered under this agreement” means registration by a seller with the member states under the central registration system provided in article IV of the agreement.

(ii) “Retailer” means a seller regularly engaged in the business of selling, leasing or renting tangible personal property at retail or furnishing electrical energy, gas, water, services or entertainment, and selling only to the user or consumer and not for resale.

(jj) “Retail sale” or “sale at retail” means any sale, lease or rental for any purpose other than for resale, sublease or subrent.

(kk) “Sale” or “sales” means the exchange of tangible personal property, as well as the sale thereof for money, and every transaction, conditional

or otherwise, for a consideration, constituting a sale, including the sale or furnishing of electrical energy, gas, water, services or entertainment taxable under the terms of this act and including, except as provided in the following provision, the sale of the use of tangible personal property by way of a lease, license to use or the rental thereof regardless of the method by which the title, possession or right to use the tangible personal property is transferred. The term “sale” or “sales” shall not mean the sale of the use of any tangible personal property used as a dwelling by way of a lease or rental thereof for a term of more than 28 consecutive days.

(ll) (1) “Sales or selling price” applies to the measure subject to sales tax and means the total amount of consideration, including cash, credit, property and services, for which personal property or services are sold, leased or rented, valued in money, whether received in money or otherwise, without any deduction for the following:

- (A) The seller’s cost of the property sold;
- (B) the cost of materials used, labor or service cost, interest, losses, all costs of transportation to the seller, all taxes imposed on the seller and any other expense of the seller;
- (C) charges by the seller for any services necessary to complete the sale, other than delivery and installation charges;
- (D) delivery charges *that are not separately stated on the invoice, bill of sale or similar document given to the purchaser*; and
- (E) installation charges.

(2) “Sales or selling price” includes consideration received by the seller from third parties if:

(A) The seller actually receives consideration from a party other than the purchaser and the consideration is directly related to a price reduction or discount on the sale;

(B) the seller has an obligation to pass the price reduction or discount through to the purchaser;

(C) the amount of the consideration attributable to the sale is fixed and determinable by the seller at the time of the sale of the item to the purchaser; and

(D) one of the following criteria is met:

(i) The purchaser presents a coupon, certificate or other documentation to the seller to claim a price reduction or discount where the coupon, certificate or documentation is authorized, distributed or granted by a third party with the understanding that the third party will reimburse any seller to whom the coupon, certificate or documentation is presented;

(ii) the purchaser identifies to the seller that the purchaser is a member of a group or organization entitled to a price reduction or discount. A preferred customer card that is available to any patron does not constitute membership in such a group; or

(iii) the price reduction or discount is identified as a third party price reduction or discount on the invoice received by the purchaser or on a coupon, certificate or other documentation presented by the purchaser.

(3) “Sales or selling price” shall not include:

(A) Discounts, including cash, term or coupons that are not reimbursed by a third party that are allowed by a seller and taken by a purchaser on a sale;

(B) interest, financing and carrying charges from credit extended on the sale of personal property or services, if the amount is separately stated on the invoice, bill of sale or similar document given to the purchaser;

(C) any taxes legally imposed directly on the consumer that are separately stated on the invoice, bill of sale or similar document given to the purchaser;

(D) the amount equal to the allowance given for the trade-in of property, if separately stated on the invoice, billing or similar document given to the purchaser; ~~and~~

(E) ~~commencing on July 1, 2018, and ending on June 30, 2024,~~ cash rebates granted by a manufacturer to a purchaser or lessee of a new motor vehicle if paid directly to the retailer as a result of the original sale; ~~and~~

(F) ~~delivery charges that are separately stated on the invoice, bill of sale or similar document given to the purchaser.~~

(mm) “Seller” means a person making sales, leases or rentals of personal property or services.

(nn) “Service” means those services described in and taxed under the provisions of K.S.A. 79-3603, and amendments thereto.

(oo) “Sourcing rules” means the rules set forth in K.S.A. 79-3670 through 79-3673, K.S.A. 12-191 and 12-191a, and amendments thereto, that shall apply to identify and determine the state and local taxing jurisdiction sales or use taxes to pay, or collect and remit on a particular retail sale.

(pp) “Tangible personal property” means personal property that can be seen, weighed, measured, felt or touched, or that is in any other manner perceptible to the senses. Tangible personal property includes electricity, water, gas, steam and prewritten computer software.

(qq) “Taxpayer” means any person obligated to account to the director for taxes collected under the terms of this act.

(rr) “Tobacco” means cigarettes, cigars, chewing or pipe tobacco or any other item that contains tobacco.

(ss) “Entity-based exemption” means an exemption based on who purchases the product or who sells the product. An exemption that is available to all individuals shall not be considered an entity-based exemption.

(tt) “Over-the-counter drug” means a drug that contains a label that identifies the product as a drug as required by 21 C.F.R. § 201.66. The over-the-counter drug label includes: (1) A drug facts panel; or (2) a state-

ment of the active ingredients with a list of those ingredients contained in the compound, substance or preparation. Over-the-counter drugs do not include grooming and hygiene products such as soaps, cleaning solutions, shampoo, toothpaste, antiperspirants and sun tan lotions and screens.

(uu) “Ancillary services” means services that are associated with or incidental to the provision of telecommunications services, including, but not limited to, detailed telecommunications billing, directory assistance, vertical service and voice mail services.

(vv) “Conference bridging service” means an ancillary service that links two or more participants of an audio or video conference call and may include the provision of a telephone number. Conference bridging service does not include the telecommunications services used to reach the conference bridge.

(ww) “Detailed telecommunications billing service” means an ancillary service of separately stating information pertaining to individual calls on a customer’s billing statement.

(xx) “Directory assistance” means an ancillary service of providing telephone number information or address information, or both.

(yy) “Vertical service” means an ancillary service that is offered in connection with one or more telecommunications services, that offers advanced calling features that allow customers to identify callers and to manage multiple calls and call connections, including conference bridging services.

(zz) “Voice mail service” means an ancillary service that enables the customer to store, send or receive recorded messages. Voice mail service does not include any vertical services that the customer may be required to have in order to utilize the voice mail service.

(aaa) “Telecommunications service” means the electronic transmission, conveyance or routing of voice, data, audio, video or any other information or signals to a point, or between or among points. The term telecommunications service includes such transmission, conveyance or routing in which computer processing applications are used to act on the form, code or protocol of the content for purposes of transmissions, conveyance or routing without regard to whether such service is referred to as voice over internet protocol services or is classified by the federal communications commission as enhanced or value added. Telecommunications service does not include:

(1) Data processing and information services that allow data to be generated, acquired, stored, processed or retrieved and delivered by an electronic transmission to a purchaser where such purchaser’s primary purpose for the underlying transaction is the processed data or information;

(2) installation or maintenance of wiring or equipment on a customer’s premises;

(3) tangible personal property;

- (4) advertising, including, but not limited to, directory advertising;
- (5) billing and collection services provided to third parties;
- (6) internet access service;
- (7) radio and television audio and video programming services, regardless of the medium, including the furnishing of transmission, conveyance and routing of such services by the programming service provider. Radio and television audio and video programming services shall include, but not be limited to, cable service as defined in 47 U.S.C. § 522(6) and audio and video programming services delivered by commercial mobile radio service providers, as defined in 47 C.F.R. § 20.3;

- (8) ancillary services; or

- (9) digital products delivered electronically, including, but not limited to, software, music, video, reading materials or ring tones.

(bbb) “800 service” means a telecommunications service that allows a caller to dial a toll-free number without incurring a charge for the call. The service is typically marketed under the name 800, 855, 866, 877 and 888 toll-free calling, and any subsequent numbers designated by the federal communications commission.

(ccc) “900 service” means an inbound toll telecommunications service purchased by a subscriber that allows the subscriber’s customers to call in to the subscriber’s prerecorded announcement or live service. 900 service does not include the charge for collection services provided by the seller of the telecommunications services to the subscriber, or service or product sold by the subscriber to the subscriber’s customer. The service is typically marketed under the name 900 service, and any subsequent numbers designated by the federal communications commission.

(ddd) “Value-added non-voice data service” means a service that otherwise meets the definition of telecommunications services in which computer processing applications are used to act on the form, content, code or protocol of the information or data primarily for a purpose other than transmission, conveyance or routing.

(eee) “International” means a telecommunications service that originates or terminates in the United States and terminates or originates outside the United States, respectively. United States includes the District of Columbia or a U.S. territory or possession.

(fff) “Interstate” means a telecommunications service that originates in one United States state, or a United States territory or possession, and terminates in a different United States state or a United States territory or possession.

(ggg) “Intrastate” means a telecommunications service that originates in one United States state or a United States territory or possession, and terminates in the same United States state or a United States territory or possession.

(hhh) “Cereal malt beverage” shall have the same meaning as such term is defined in K.S.A. 41-2701, and amendments thereto, except that for the purposes of the Kansas retailers sales tax act and for no other purpose, such term shall include beer containing not more than 6% alcohol by volume when such beer is sold by a retailer licensed under the Kansas cereal malt beverage act.

(iii) “Nonprofit integrated community care organization” means an entity that is:

(1) Exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986;

(2) certified to participate in the medicare program as a hospice under 42 C.F.R. § 418 et seq. and focused on providing care to the aging and indigent population at home and through inpatient care, adult daycare or assisted living facilities and related facilities and services across multiple counties; and

(3) approved by the Kansas department for aging and disability services as an organization providing services under the program of all-inclusive care for the elderly as defined in 42 U.S.C. § 1396u-4 and regulations implementing such section.

Sec. 45. K.S.A. 79-3606d is hereby amended to read as follows: 79-3606d. (a) *(1) The following shall be exempt from the tax imposed by the Kansas retailers’ sales tax act: All sales of tangible personal property and services purchased during calendar years 2017 and 2018 on and after January 1, 2021, and purchased within two years of the date of the applicable disaster declaration necessary to reconstruct, repair or replace any fence that was damaged or destroyed by wildfires a wildfire, flood, tornado or other natural disaster occurring during calendar years 2016 and 2017 on and after January 1, 2021, and the purpose for which is to enclose land devoted to agricultural use.*

(2) A taxpayer shall be eligible for the exemption pursuant to this section if the affected property containing the damaged or destroyed fencing is located within an area declared to be a disaster by the federal, state or local government.

(3) Sales tax paid on and after January 1, 2017 2021, upon the gross receipts received from any such sale shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this section. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director’s designee. Any person reconstructing, repairing or replacing such prop-

erty, or any person who shall contract for the reconstruction, repair or replacement of any such property shall obtain from the state an exemption certificate for the project involved. The certificate shall be furnished to the person or contractor to purchase materials and lease machinery and equipment for such project. The person or contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the person that obtained the exemption certificate, a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection.

~~(b)~~(4) *As used in this subsection, “wildfire” means a fire that spreads rapidly over grassland, woodland or brush creating unwanted and unplanned destruction.*

(b) *On and after July 1, 2022, all sales of tangible personal property and services necessary to construct, reconstruct, repair or replace any fence that is used to enclose land devoted to agricultural use shall be exempt from the tax imposed by the Kansas retailers’ sales tax act.*

(c) *The provisions of this section shall be deemed to be a part of and supplemental to the Kansas retailers’ sales tax act.*

Sec. 46. K.S.A. 79-4502 is hereby amended to read as follows: 79-4502. As used in this act, unless the context clearly indicates otherwise:

(a) “Income” means the sum of adjusted gross income under the Kansas income tax act effective for tax year 2013 and thereafter without regard to any modifications pursuant to K.S.A. 79-32,117(b)(xx) through (xxiii) and (c)(xx), and amendments thereto, maintenance, support money, cash public assistance and relief, not including any refund granted under this act, the gross amount of any pension or annuity, including all monetary retirement benefits from whatever source derived, including but not limited to, all payments received under the railroad retirement act, except disability payments, payments received under the federal social security act, except that for determination of what constitutes income such amount shall not exceed 50% of any such social security payments and shall not include any social security payments to a claimant who prior to attaining full retirement age had been receiving disability payments under the federal social security act in an amount not to exceed the amount of such disability payments or 50% of any such social security payments, whichever is greater, all dividends and interest from whatever source derived not included in adjusted gross income, workers compensation and the gross amount of “loss of time” insurance. Income does not include gifts from nongovernmental sources or surplus food or other relief in kind supplied by a governmental agency, nor shall net operating losses and net

capital losses be considered in the determination of income. Income does not include veterans disability pensions. Income does not include disability payments received under the federal social security act.

(b) “Household” means a claimant, a claimant and spouse who occupy the homestead or a claimant and one or more individuals not related as husband and wife who together occupy a homestead.

(c) “Household income” means all income received by all persons of a household in a calendar year while members of such household.

(d) “Homestead” means the dwelling, or any part thereof, owned and occupied as a residence by the household and so much of the land surrounding it, as defined as a home site for ad valorem tax purposes, and may consist of a part of a multi-dwelling or multi-purpose building and a part of the land upon which it is built or a manufactured home or mobile home and the land upon which it is situated. “Owned” includes a vendee in possession under a land contract, a life tenant, a beneficiary under a trust and one or more joint tenants or tenants in common.

(e) “Claimant” means a person who has filed a claim under the provisions of this act and was, during the entire calendar year preceding the year in which such claim was filed for refund under this act, except as provided in K.S.A. 79-4503, and amendments thereto, both domiciled in this state and was: (1) *For purposes of a claim under K.S.A. 79-4508, and amendments thereto:* (A) A person having a disability; ~~(2)~~ (B) a person who is 55 years of age or older; ~~(3)~~ (C) a disabled veteran; ~~(4)~~ (D) the surviving spouse of active duty military personnel who died in the line of duty; or ~~(5)~~ (E) a person other than a person included under ~~(1), (2), (3) or (4)~~ *subparagraph (A), (B), (C) or (D) having one or more dependent children under 18 years of age residing at the person’s homestead during the calendar year immediately preceding the year in which a claim is filed under this act; or (2) for purposes of a claim under section 17, and amendments thereto:* (A) *A person who is 65 years of age or older; or (B) a disabled veteran.* The surviving spouse of a disabled veteran who was receiving benefits pursuant to subsection ~~(e)(3) of this section~~ *(e)(1)(C)* at the time of the veterans’ death, shall be eligible to continue to receive benefits until such time the surviving spouse remarries.

When a homestead is occupied by two or more individuals and more than one of the individuals is able to qualify as a claimant, the individuals may determine between them as to whom the claimant will be. If they are unable to agree, the matter shall be referred to the secretary of revenue whose decision shall be final.

(f) “Property taxes accrued” means property taxes, exclusive of special assessments, delinquent interest and charges for service, levied on a claimant’s homestead in 1979 or any calendar year thereafter by the state of Kansas and the political and taxing subdivisions of the state. When a

homestead is owned by two or more persons or entities as joint tenants or tenants in common and one or more of the persons or entities is not a member of claimant's household, "property taxes accrued" is that part of property taxes levied on the homestead that reflects the ownership percentage of the claimant's household. For purposes of this act, property taxes are "levied" when the tax roll is delivered to the local treasurer with the treasurer's warrant for collection. When a claimant and household own their homestead part of a calendar year, "property taxes accrued" means only taxes levied on the homestead when both owned and occupied as a homestead by the claimant's household at the time of the levy, multiplied by the percentage of 12 months that the property was owned and occupied by the household as its homestead in the year. When a household owns and occupies two or more different homesteads in the same calendar year, property taxes accrued shall be the sum of the taxes allocable to those several properties while occupied by the household as its homestead during the year. Whenever a homestead is an integral part of a larger unit such as a multi-purpose or multi-dwelling building, property taxes accrued shall be that percentage of the total property taxes accrued as the value of the homestead is of the total value. For the purpose of this act, the word "unit" refers to that parcel of property covered by a single tax statement of which the homestead is a part.

(g) "Disability" means:

(1) Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or has lasted or can be expected to last for a continuous period of not less than 12 months, and an individual shall be determined to be under a disability only if the physical or mental impairment or impairments are of such severity that the individual is not only unable to do the individual's previous work but cannot, considering age, education and work experience, engage in any other kind of substantial gainful work which exists in the national economy, regardless of whether such work exists in the immediate area in which the individual lives or whether a specific job vacancy exists for the individual, or whether the individual would be hired if application was made for work. For purposes of the preceding sentence (with respect to any individual), "work which exists in the national economy" means work which exists in significant numbers either in the region where the individual lives or in several regions of the country; for purposes of this subsection, a "physical or mental impairment" is an impairment that results from anatomical, physiological or psychological abnormalities which are demonstrable by medically acceptable clinical and laboratory diagnostic techniques; or

(2) blindness and inability by reason of blindness to engage in substantial gainful activity requiring skills or abilities comparable to those of

any gainful activity in which the individual has previously engaged with some regularity and over a substantial period of time.

(h) “Blindness” means central visual acuity of ²⁰/₂₀₀ or less in the better eye with the use of a correcting lens. An eye which is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered for the purpose of this paragraph as having a central visual acuity of ²⁰/₂₀₀ or less.

(i) “Disabled veteran” means a person who is a resident of Kansas and has been honorably discharged from active service in any branch of the armed forces of the United States or Kansas national guard and who has been certified by the United States department of veterans affairs or its successor to have a 50% *or greater* permanent disability sustained through military action or accident or resulting from disease contracted while in such active service.

Sec. 47. K.S.A. 79-4508 is hereby amended to read as follows: 79-4508. (a) Commencing in the tax year beginning after December 31, 2005, the amount of any claim pursuant to this act *and under this section* shall be computed by deducting the amount computed under column (2) from the amount of claimant’s property tax accrued.

(1)		(2)
Claimant's	Claimant's household income	Deduction from property tax accrued
At least	But not more than	
\$0	\$6,000	\$0
6,001	7,000	4%
7,001	16,000	4% plus 4% of every \$1,000, or fraction thereof, of income in excess of \$7,001
16,001	27,000	40% plus 5% of every \$1,000, or fraction thereof, of income in excess of \$16,001
27,001	27,600	95%

(b) The director of taxation shall prepare a table under which claims under this act *and this section* shall be determined. The amount of claim for each bracket shall be computed only to the nearest \$1.

(c) The claimant may elect not to record the amount claimed on the claim. The claim allowable to persons making this election shall be computed by the department which shall notify the claimant by mail of the amount of the allowable claim.

(d) In the case of all tax years commencing after December 31, 2004, the upper limit threshold amount prescribed in this section, shall be increased by an amount equal to such threshold amount multiplied by the

cost-of-living adjustment determined under section 1(f)(3) of the federal internal revenue code for the calendar year in which the taxable year commences.

Sec. 48. K.S.A. 79-4509 is hereby amended to read as follows: 79-4509. (a) In the event property taxes accrued exceeds \$700 for a household in any one year, the amount thereof shall, for purposes of this act, be deemed to have been \$700.

(b) *The provisions of subsection (a) shall not apply to a claim for refund pursuant to section 17, and amendments thereto.*

Sec. 49. K.S.A. 79-224, 79-1476, 79-1613, 79-2930, 79-3220, 79-32,111, 79-32,121, 79-32,182b, 79-32,261, 79-3606d, 79-4502, 79-4508 and 79-4509 and K.S.A. 2021 Supp. 12-187, 12-189, 12-192, 74-50,223, 79-201x, 79-2988, 79-32,267 and 79-3602 are hereby repealed.

Sec. 50. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 14, 2022.

CHAPTER 64

Substitute for SENATE BILL No. 563

AN ACT concerning reapportionment; relating to state senatorial, representative and board of education districts; providing for the reapportionment thereof; repealing K.S.A. 2021 Supp. 4-3,731, 4-3,733, 4-3,859, 4-4,451, 4-4,453, 4-4,494, 4-514 and 4-526.

Be it enacted by the Legislature of the State of Kansas:

Section 1. In accordance with section 2 of article 2 of the constitution of the state of Kansas, the state of Kansas is divided into 40 single-member state senatorial districts. Such districts are reapportioned in accordance with section 1 of article 10 of the constitution of the state of Kansas.

Sec. 2. (a) As used in sections 1 through 44, and amendments thereto, “voting district,” “tract,” “block group” or “block” means, respectively, a voting district (VTD), tract, block group or block identified on the official United States 2020 decennial census maps.

(b) Voting districts, tracts, block groups and blocks are referred to in sections 1 through 44, and amendments thereto, by the alphanumeric code by which they are identified on the official United States 2020 decennial census maps and data lists.

(c) The boundaries of counties, voting districts, tracts, block groups and blocks referred to in sections 1 through 44, and amendments thereto, are those boundaries as they exist and are identified on the official United States 2020 decennial census maps.

Sec. 3. (a) If a county, voting district, tract, block group or block is not included within a senatorial district established by this act, such county, voting district, tract, block group or block shall be attached to the senatorial district to which such county, voting district, tract, block group or block is contiguous and, if contiguous to more than one senatorial district, such county, voting district, tract, block group or block shall be attached to the contiguous senatorial district that has the least total population.

(b) If a county, voting district, tract, block group or block is included in two or more senatorial districts established by this act, such county, voting district, tract, block group or block shall be attached to and become a part of the senatorial district that has the least total population.

Sec. 4. The provisions of this act shall not affect the term of any senator elected to represent a district at the general election of 2020 or the term of any successor to such senator serving for an unexpired term. All such senators shall continue to serve the districts from which elected until the senators elected from the districts established by this act commence their terms of office in January of 2025.

Sec. 5. Senatorial district 1 shall consist of all of Atchison county; and all of Brown county; and all of Doniphan county; and all of Jackson county; and the following voting districts in Jefferson county: (000010), (000030), (000060); and the following voting districts in Leavenworth county: (000010), (000040), (000060), (000070), (170010), (170020), (170030); and the following voting districts in Marshall county: (000010), (000020), (000030), (000040), (000050), (000060), (000070), (000080), (000090), (000140), (000210), (000220), (000240), (000250), (000260), (000280), (000290), (000300), (120020), (120030), (120040), (120050); and all of Nemaha county.

Sec. 6. Senatorial district 2 shall consist of the following voting districts in Douglas county: (00007A), (000080), (000090), (00010A), (000110), (000130), (000140), (000150), (000160), (000170), (000180), (000190), (000200), (000210), (000220), (000230), (000240), (000270), (000280), (000290), (000310), (000320), (000330), (000340), (000350), (000370), (000380), (000400), (000450), (000460), (000470), (00048B), (00048D), (00067B), (120020), (120030), (120040), (120050), (120060), (120090), (120100), (120110), (120120), (120130), (120140), (120150), (120170), (120210), (120220), (120230), (120240), (120260), (120270), (120280), (120300), (120360), (120420), (160760), (160770), (160780), (18066A), (18066B), (190040), (190070), (190080), (190090), (190100), (400040), (900100), (900120), (900130), (900140).

Sec. 7. Senatorial district 3 shall consist of the following voting districts in Douglas county: (000030), (00003A), (000250), (000300), (00052A), (000560), (120070), (120290), (120330), (120340), (120390), (120400), (120410), (120430), (120440), (120450), (120460), (160750), (18046B), (180560), (190050), (190110), (200010), (200020), (400030), (400110), (900010), (900020), (900080); and the following voting districts in Franklin county: (000010), (000020), (000030), (000050), (000070), (000080), (000100), (00012A), (00013A), (00013B), (00013C), (000140), (000150), (000160), (000180), (000190), (00020A), (000220), (900010); and all of Osage county; and the following voting districts in Shawnee county: (000080), (000190), (000270), (000280), (000290), (000300), (000310), (000370), (000880), (000890), (000920), (000930), (100060), (120020), (120030), (120080), (120160), (12016A), (120270), (120310), (500070), (500080), (500120), (600200), (600210), (600420), (600430), (600440), (900010).

Sec. 8. Senatorial district 4 shall consist of the following voting districts in Wyandotte county: (600090), (600100), (600110), (600120), (600130), (600140), (600150), (600160), (600170), (600180), (600190), (600200), (600210), (600220), (600230), (600450), (600470), (600480), (600500), (600590), (600600), (600610), (600620), (600630), (600640),

(600650), (600660), (600670), (600680), (600690), (600700), (600710), (600720), (600730), (600740), (600870), (600880), (600890), (600900), (600910), (600920), (600930), (600940), (600950), (600960), (600970), (600980), (600990), (601000), (601010), (601020).

Sec. 9. Senatorial district 5 shall consist of the following voting districts in Leavenworth county: (000020), (000030); and the following blocks in voting district (000050), tract 0712.02, block group 1, in Leavenworth county: block 003, block 006, block 012, block 016, block 018, block 019, block 024, block 029, block 030, block 034, block 036; and the following blocks in voting district (000050), tract 0712.02, block group 2, in Leavenworth county: block 004; and the following voting districts in Leavenworth county: (000080), (000090), (000100), (000110), (000120), (000130), (000140), (000150), (000160), (00017A), (00017B), (000180), (00019A), (00019B), (000200), (000210), (000220), (000230), (000240), (000250), (000260), (00027A), (000280), (00029A), (000300), (000340), (120060), (120100), (120110), (120120), (120130), (170040), (170050), (170130), (170140), (170150), (170160), (170170), (170190), (170200), (170240), (170250), (900010), (900030), (900060); and the following voting districts in Wyandotte county: (600760), (601030), (601040), (601050), (601060), (601070), (601080), (601090), (601100).

Sec. 10. Senatorial district 6 shall consist of the following voting districts in Johnson county: (001540), (900490), (900500), (900510), (900520), (920570); and the following voting districts in Wyandotte county: (120100), (140090), (600240), (600250), (600260), (600270), (600280), (600290), (600300), (600310), (600320), (600330), (600340), (600350), (600360), (600370), (600380), (600390), (600400), (600410), (600420), (600430), (600440), (600460), (600490), (600510), (600520), (600530), (600540), (600550), (600560), (600570), (600580), (600750), (600770), (600780), (600790), (600800), (600810), (600820), (600830), (600840), (600850), (600860), (601110), (601120).

Sec. 11. Senatorial district 7 shall consist of the following voting districts in Johnson county: (000200), (000210), (000220), (000230), (000840), (000850), (000860), (000870), (000880), (000890), (000910), (000920), (000930), (000940), (000950), (000960), (001550), (001560), (001580), (001590), (001600), (001620), (001700), (001710), (001720), (001760), (001770), (002280), (002290), (002500), (002510), (002520), (002530), (002540), (002550), (002560), (002570), (002580), (002590), (002600), (002610), (002620), (002630), (002640), (002650), (002660), (002670), (002680), (002690), (002700), (002710), (002720), (002730), (002740), (002750), (003130), (003140), (003150), (900990), (920000), (920010), (920020), (920030), (920040), (920050), (920060), (920070), (920080), (920090), (920110), (920210), (920280), (920350), (920360), (920940).

Sec. 12. Senatorial district 8 shall consist of the following voting districts in Johnson county: (001730), (001780), (001790), (001800), (001810), (001820), (001830), (001840), (001850), (001860), (001870), (001880), (001890), (001900), (001910), (001920), (001930), (001940), (001950), (001960), (001970), (001980), (001990), (002000), (002010), (002020), (002030), (002040), (002050), (002080), (002090), (002120), (002130), (002140), (002150), (00217A), (00217B), (002300), (002310), (002320), (002330), (002340), (002350), (002370), (002380), (002390), (002400), (002410), (00242A), (901050), (920290), (920300), (920310), (920320), (920950).

Sec. 13. Senatorial district 9 shall consist of the following voting districts in Douglas county: (000020), (000600), (000620), (000630), (000640), (000660), (120370), (120380), (180520), (18052A), (18052B), (18052C), (180530), (180540), (18062A), (400050), (400090); and the following voting districts in Johnson county: (000070), (000080), (000560), (00117A), (001240), (001250), (001290), (001520), (004070), (004080), (004090), (004100), (190010), (900040), (900050), (900060), (900670), (900710), (900730), (900750), (900870), (901650), (901700), (901710), (901910), (901930), (901940), (920660), (920830); and the following blocks in voting district (000050), tract 0712.02, block group 1, in Leavenworth county: block 000, block 025, block 026, block 027, block 031, block 032, block 037, block 038, block 039, block 040, block 041, block 043, block 044, block 045; and the following blocks in voting district (000050), tract 0712.02, block group 2, in Leavenworth county: block 030, block 031, block 032, block 033; and the following blocks in voting district (000050), tract 0712.02, block group 3, in Leavenworth county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 025; and the following voting districts in Leavenworth county: (000310), (000320), (000350), (000360), (000370), (000380), (000390), (120080), (170060), (170070), (170080), (170090), (170100), (170110), (170120), (170180), (170210), (170220), (170230), (900080); and the following voting districts in Wyandotte county: (140020), (140030), (600010), (600020), (600030), (600040), (600060).

Sec. 14. Senatorial district 10 shall consist of the following voting districts in Johnson county: (000190), (000520), (00117B), (002760), (002770), (002780), (002790), (002800), (002810), (002820), (002850), (002860), (002870), (002880), (002890), (002900), (002910), (002920), (002930), (002940), (002960), (002980), (003000), (003010), (003020), (003030), (003040), (003050), (003070), (003080), (003090), (900030); and the following blocks in voting district (900370), tract 0526.08, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005; and the following blocks in voting district (900370),

tract 9800.03, block group 1, in Johnson county: block 006, block 007, block 008, block 019, block 020, block 021, block 022; and the following voting districts in Johnson county: (900410), (901330), (901340), (901360), (901370), (901380), (901410), (901420), (901430), (920370), (920380), (920500), (920510), (920600), (920900), (920910), (920930), (921020), (921030), (921040), (921050).

Sec. 15. Senatorial district 11 shall consist of the following voting districts in Johnson county: (000010), (000020), (000040), (000270), (000350), (000370), (00242B), (00244A), (00244B), (002460), (002470), (00249C), (00249E), (00249F), (900190), (900200), (900210), (900220), (900230), (900250), (900260), (900270), (900280), (900290), (900300), (900320), (900330), (900340), (901060), (901070), (901080), (901090), (901100), (901110), (901140), (901150), (901160), (901170), (901200), (901210), (901300), (901310), (920120), (920340), (920520), (920540), (920870), (920880), (920890), (920960), (920970), (920990), (921000).

Sec. 16. Senatorial district 12 shall consist of all of Allen county; and all of Anderson county; and all of Coffey county; and the following voting districts in Franklin county: (000040), (000060), (000090), (000110), (000210), (000230), (000240), (000250); and all of Linn county; and the following voting districts in Miami county: (000020), (000050), (000060), (000090), (000100), (00011B), (00012A), (00012B), (00013A), (00013B), (00013C), (000140), (00016A), (00016B), (000170), (00018A), (00018B), (00018C); and the following blocks in voting district (00019A), tract 1005.00, block group 3, in Miami county: block 017, block 024, block 025, block 093; and the following blocks in voting district (00019A), tract 1006.01, block group 1, in Miami county: block 000, block 001, block 002, block 003, block 005, block 015; and the following blocks in voting district (00019A), tract 1006.01, block group 4, in Miami county: block 004, block 005, block 006, block 007, block 008, block 031, block 032, block 033, block 034, block 036, block 037, block 038, block 039, block 041, block 043, block 044, block 045, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055; and the following blocks in voting district (00019A), tract 1006.01, block group 5, in Miami county: block 012, block 013, block 014, block 015, block 017, block 018, block 023, block 048, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097; and the following blocks in voting district (00019A), tract 1006.01, block group 6, in Miami county: block 009, block 014, block 018, block 019, block 020, block 021; and the following voting districts in Miami county: (00019B), (000240), (000250), (000270), (020030), (120060), (120070), (120100), (120110), (200010),

(200020), (900010), (900020), (900030), (900040), (900050), (900070), (900080), (900120), (900140), (900150), (900160), (900180), (900190); and all of Wilson county; and all of Woodson county.

Sec. 17. Senatorial district 13 shall consist of all of Bourbon county; and all of Cherokee county; and all of Crawford county.

Sec. 18. Senatorial district 14 shall consist of the following voting districts in Butler county: (000100), (000120), (00014A), (00016A), (00016B), (00016C), (000190), (000220), (000240), (000250), (000260), (000280), (000290), (000330), (000350), (000360), (000390), (000410), (000430), (120040), (140080), (140090), (800050), (80030A); and all of Chase county; and all of Greenwood county; and all of McPherson county; and all of Marion county.

Sec. 19. Senatorial district 15 shall consist of all of Chautauqua county; and all of Elk county; and all of Labette county; and all of Montgomery county; and all of Neosho county.

Sec. 20. Senatorial district 16 shall consist of the following voting districts in Butler county: (00001A), (00001L), (00001N), (00001O), (00002B), (00002C), (00004B), (000070), (00009C), (00009F), (00009G), (00009H), (000320), (000340), (120080), (120090), (140010), (140020), (140030), (140040), (140050), (140060), (140070), (200010), (200020), (800060), (80010A), (80040B), (80070A), (80070B), (80070C), (80070D), (80070E), (80070F); and the following voting districts in Sedgwick county: (120050); and the following blocks in voting district (120330), tract 0101.13, block group 2, in Sedgwick county: block 001, block 009, block 010; and the following blocks in voting district (120370), tract 0100.01, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 009, block 011, block 012, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 036, block 037, block 038, block 044, block 047, block 048, block 050, block 056, block 058; and the following blocks in voting district (120370), tract 0100.02, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 019, block 020, block 021, block 029, block 030, block 032, block 035, block 036, block 037, block 038, block 039, block 042, block 054, block 056; and the following voting districts in Sedgwick county: (120390), (120400), (120420); and the following blocks in voting district (120430), tract 0072.01, block group 2, in Sedgwick county: block 008, block 009, block 010; and the following blocks in voting district (120430), tract 0101.15, block group 1, in Sedgwick county: block 045, block 049, block 050; and the following blocks in voting district (120430), tract 0101.15, block group 2, in Sedgwick county: block 028, block 029,

block 030, block 036; and the following voting districts in Sedgwick county: (120790), (120900), (130070), (130080); and the following blocks in voting district (130100), tract 0100.02, block group 2, in Sedgwick county: block 033, block 034; and the following voting districts in Sedgwick county: (130110), (130120), (130130), (130160), (131090); and the following blocks in voting district (131110), tract 0072.01, block group 2, in Sedgwick county: block 028; and the following voting districts in Sedgwick county: (131160), (131190), (131400), (131410), (131420), (131430), (140070), (190010), (190140), (500210), (500220), (500230), (500240), (500260), (500460), (500470), (500480), (500490), (500500), (500530), (500540); and the following blocks in voting district (500560), tract 0072.01, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 027, block 030; and the following blocks in voting district (500560), tract 0100.02, block group 2, in Sedgwick county: block 014, block 015, block 016, block 017; and the following voting districts in Sedgwick county: (500650), (500710), (502220), (502230), (502240), (503010), (503530).

Sec. 21. Senatorial district 17 shall consist of all of Geary county; and all of Lyon county; and all of Morris county.

Sec. 22. Senatorial district 18 shall consist of the following voting districts in Jefferson county: (000020), (000040), (000050), (000070), (000080), (000090), (000100), (000110), (000120), (000130); and all of Pottawatomie county; and the following voting districts in Shawnee county: (000090), (000150), (000330), (000350), (000410), (000420), (000430), (000440), (001360), (001370), (001460), (001760), (001850), (001880), (001890), (100050), (120060), (120070), (120100); and the following blocks in voting district (12013A), tract 0024.01, block group 3, in Shawnee county: block 066; and the following blocks in voting district (12013A), tract 0036.07, block group 2, in Shawnee county: block 029; and the following voting districts in Shawnee county: (160030), (200010), (200020), (400070), (400090), (400100), (400110), (500010), (600010), (600050), (600060), (600150), (600160), (600220), (600230), (600240), (600340), (600350), (600360), (600370), (600390), (600510), (600570), (600580), (900030), (900040), (900050).

Sec. 23. Senatorial district 19 shall consist of the following voting districts in Douglas county: (000010), (00012A), (000260), (00050A), (00050C), (120080), (120250), (120310), (120320), (120350), (18064A), (190060), (400080), (900040), (900050), (900060), (900070), (900090), (900170); and the following voting districts in Shawnee county: (000250), (000260), (000480), (000490), (000500), (000510), (000520), (000530), (000540), (000550), (000560), (000570), (000580), (000590), (000600), (000610), (000630), (000640), (000650), (000660), (000690), (000700), (000710),

(000740), (000750), (000760), (000770), (000780), (000800), (000820), (000830), (000840), (000850), (000860), (000870), (000940), (000950), (000960), (000970), (000980), (000990), (001010), (001040), (001050), (001060), (001070), (001080), (001090), (001100), (001120), (001130), (001140), (001150), (001160), (001170), (001180), (001190), (001210), (001220), (001290), (001330), (001350), (001910), (120040), (120050), (120210), (120220), (120230), (120240), (120250), (120260), (120280), (120290), (120300), (170030), (200170), (200180), (600020), (600140).

Sec. 24. Senatorial district 20 shall consist of the following voting districts in Shawnee county: (000240), (000340), (001000), (001030), (001200), (001230), (001240), (001250), (001270), (001280), (001300), (001310), (001320), (001340), (001380), (001400), (001410), (001420), (001430), (001440), (001450), (001470), (001480), (001490), (001500), (001510), (001520), (001530), (001540), (001550), (001560), (001570), (001590), (001600), (001610), (001620), (001630), (001640), (001650), (001670), (001680), (001710), (001720), (001780), (100030), (100040), (12008A), (120090), (12010A), (120120), (120130); and the following blocks in voting district (12013A), tract 0024.01, block group 3, in Shawnee county: block 058; and the following blocks in voting district (12013A), tract 0036.07, block group 2, in Shawnee county: block 028; and the following voting districts in Shawnee county: (120170), (120180), (120190), (120200), (120320), (160010), (200050), (200070), (200080), (200130), (200140), (200150), (200160), (300090), (500110), (50011A), (50011B), (50011C), (500140), (500160), (600080), (600090), (600110), (600170), (600180), (600190), (600250), (600260), (600270), (600280), (600290), (600300), (600310), (600330), (600470), (600490), (600500), (600530), (700010), (700020), (800010), (800020), (800040), (800060), (800070), (900060), (900070), (900080), (900090), (900110), (900120), (900140); and all of Wabaunsee county.

Sec. 25. Senatorial district 21 shall consist of the following voting districts in Johnson county: (000430), (000440), (000450), (000510), (000530), (000580), (000590), (000600), (000610), (000620), (000630), (000640), (000650), (000660), (001570), (001610), (001630), (001640), (001650), (001660), (001670), (001680), (001690), (001740), (001750), (003060), (900360); and the following blocks in voting district (900370), tract 0525.05, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009; and the following blocks in voting district (900370), tract 9800.03, block group 1, in Johnson county: block 016, block 017, block 018, block 023; and the following voting districts in Johnson county: (900380), (900400), (900430), (900440), (900450); and the following blocks in voting district (900460), tract 0524.17, block group 1, in Johnson county: block 028; and the following blocks in voting district (900460),

tract 0524.22, block group 1, in Johnson county: block 010; and the following blocks in voting district (900460), tract 0524.23, block group 1, in Johnson county: block 007; and the following blocks in voting district (900460), tract 0529.10, block group 1, in Johnson county: block 000; and the following blocks in voting district (900460), tract 0530.05, block group 1, in Johnson county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024; and the following blocks in voting district (900460), tract 9800.01, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 052, block 053, block 054, block 055, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069; and the following voting districts in Johnson county: (900470), (900480), (900530), (900540), (900550), (900560), (920130), (920140), (920150), (920160), (920170), (920180), (920190), (920200), (920260), (920270), (920490), (920550), (920560), (920920).

Sec. 26. Senatorial district 22 shall consist of all of Riley county.

Sec. 27. Senatorial district 23 shall consist of the following voting districts in Johnson county: (001000), (001010), (001030), (001040), (001050), (001060), (001070), (001100), (001150), (001160), (001260), (001280), (001300), (001310), (001320), (001330), (001350), (001360), (001370), (001380), (001390), (001420), (001450), (00147A), (001480), (00311A), (00311B), (00311D), (003120), (004190), (900580), (900600), (900610), (900620), (900650), (900850), (900910), (900980), (901550), (901570), (901610), (901630), (901680), (901780), (901880), (901890), (901970), (920220), (920250), (920610), (920620), (920630), (920640), (920650), (920700), (92071A), (920720), (920730), (920740), (920770), (920800), (920810), (920820); and the following voting districts in Miami county: (00007B), (00023A), (00023B), (00023C), (00023D); and the following blocks in voting district (120050), tract 1001.00, block group 1, in Miami county: block 006, block 008, block 025, block 026, block 027, block 033, block 063; and the following blocks in voting district (120050), tract 1002.00, block group 1, in Miami county: block 020; and the following blocks in voting district (120050), tract 1002.00, block group 2, in Miami county: block 000, block 009, block 013, block 014; and the following

blocks in voting district (120050), tract 1002.00, block group 3, in Miami county: block 035, block 036, block 041, block 043, block 052, block 053, block 054, block 059, block 060, block 076; and the following voting districts in Miami county: (900130).

Sec. 28. Senatorial district 24 shall consist of all of Dickinson county; and all of Saline county.

Sec. 29. Senatorial district 25 shall consist of the following voting districts in Sedgwick county: (120010), (120020), (120060), (120130), (120320), (120440), (130170), (130180), (130460), (500010), (500030), (500040), (500050), (500740), (500750), (500760), (500770); and the following blocks in voting district (500780), tract 0063.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following blocks in voting district (500780), tract 0063.00, block group 2, in Sedgwick county: block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025; and the following blocks in voting district (500780), tract 0064.00, block group 1, in Sedgwick county: block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015; and the following blocks in voting district (500780), tract 0064.00, block group 2, in Sedgwick county: block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 012, block 013, block 014; and the following voting districts in Sedgwick county: (500820), (500830), (500990), (501000), (501010), (501020), (501830), (501860), (501870), (501880), (501890), (501900), (501910), (501920), (501930).

Sec. 30. Senatorial district 26 shall consist of the following voting districts in Sedgwick county: (100010), (120120), (120160), (120170), (120300), (120450), (130230), (130240), (130250), (130260), (130270), (130280), (130290), (130300), (130310), (130320), (130330), (130340), (130380), (130390), (130420), (130440), (130510), (130520), (130530), (130540), (130550), (130560), (130570), (130580), (130610), (130690), (130810), (130820), (130830), (130850), (130880), (130890), (130900), (130910), (130920), (130930), (131300), (131370), (131460), (131540), (131650), (131660), (131670), (131680), (140020), (140080), (170020), (170030), (170040), (170060), (180010), (180040), (190020), (190040), (500980), (501060), (501080), (501090); and the following blocks in voting district (501110), tract 0054.01, block group 1, in Sedgwick county: block 000, block 001; and the following blocks in voting district (501110), tract 0096.03, block group 1, in Sedgwick county: block 000, block 001, block 002, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block

020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 031, block 032, block 033, block 034, block 035; and the following voting districts in Sedgwick county: (501220), (501680), (501740), (502120), (502130), (502140), (502150), (502160), (502180), (502200), (502440), (502450), (502470), (502490), (502500), (502510), (502630), (502650), (502660), (502700), (502730), (502740), (502810), (503170), (503250), (503260); and the following blocks in voting district (503590), tract 0054.01, block group 2, in Sedgwick county: block 034, block 035, block 036, block 039, block 040, block 042, block 043, block 044; and the following blocks in voting district (503590), tract 0054.02, block group 3, in Sedgwick county: block 044; and the following blocks in voting district (503590), tract 0055.01, block group 1, in Sedgwick county: block 000, block 001, block 002, block 006, block 017, block 024; and the following blocks in voting district (503590), tract 0055.01, block group 2, in Sedgwick county: block 000; and the following blocks in voting district (503590), tract 0055.01, block group 3, in Sedgwick county: block 000, block 001; and the following blocks in voting district (503590), tract 0055.01, block group 4, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 018, block 019, block 020, block 021; and the following blocks in voting district (503590), tract 0056.00, block group 3, in Sedgwick county: block 011, block 023; and the following blocks in voting district (503760), tract 0055.02, block group 1, in Sedgwick county: block 007, block 022, block 023, block 027, block 031; and the following blocks in voting district (503760), tract 0055.02, block group 2, in Sedgwick county: block 019, block 023, block 024, block 025, block 028, block 029, block 030, block 032, block 037, block 038; and the following blocks in voting district (503760), tract 0055.02, block group 3, in Sedgwick county: block 013; and the following blocks in voting district (503770), tract 0055.02, block group 2, in Sedgwick county: block 000, block 033; and the following voting districts in Sedgwick county: (503780), (503920), (503930); and the following blocks in voting district (503940), tract 0054.01, block group 1, in Sedgwick county: block 067, block 068, block 069, block 077, block 078; and the following blocks in voting district (503940), tract 0054.01, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 015, block 016, block 018, block 019, block 020, block 021, block 023, block 027, block 028, block 030, block 031; and the following blocks in voting district (503940), tract 0092.00, block group 2, in Sedgwick county: block 043, block 044, block 068, block 069; and the following blocks in voting district (503940), tract 0096.03, block group 1, in Sedgwick county: block 003, block 004, block 005, block 006, block 007, block 030, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 045, block 046, block 054, block 056, block 057, block 058; and the following blocks in

voting district (503940), tract 0096.05, block group 2, in Sedgwick county: block 033, block 037, block 038, block 039, block 040, block 041, block 042, block 045, block 046, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 057, block 058, block 059, block 060, block 063, block 066, block 068, block 070, block 071, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 099, block 102, block 103, block 128, block 129; and the following voting districts in Sedgwick county: (503990), (600340), (700260), (700290).

Sec. 31. Senatorial district 27 shall consist of the following voting districts in Sedgwick county: (120110), (120290), (120460), (120470), (120480); and the following blocks in voting district (121310), tract 0093.01, block group 3, in Sedgwick county: block 007, block 008; and the following voting districts in Sedgwick county: (130430); and the following blocks in voting district (130450), tract 0095.14, block group 2, in Sedgwick county: block 014, block 015, block 016, block 017, block 018, block 019, block 021, block 022, block 023, block 024, block 025, block 026, block 036; and the following voting districts in Sedgwick county: (130470), (131330), (131340), (150040), (180030), (501390), (501400), (501420), (501430), (501440), (501450), (501460); and the following blocks in voting district (501480), tract 0103.01, block group 1, in Sedgwick county: block 000, block 001, block 003, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 024, block 025; and the following blocks in voting district (501480), tract 0103.01, block group 2, in Sedgwick county: block 002, block 003, block 005, block 006, block 007, block 010, block 011, block 012, block 014, block 016, block 017, block 018, block 020, block 021, block 022, block 023, block 024, block 025; and the following blocks in voting district (501480), tract 0103.01, block group 3, in Sedgwick county: block 001, block 002, block 003, block 004, block 005, block 006; and the following voting districts in Sedgwick county: (501500), (501540), (501550), (501560), (501570), (501580), (501590), (501620), (501630), (501640), (501650), (501660), (501670), (501730), (501850), (502410), (502460); and the following blocks in voting district (700210), tract 0103.01, block group 1, in Sedgwick county: block 004, block 005; and the following blocks in voting district (700210), tract 0103.01, block group 2, in Sedgwick county: block 008.

Sec. 32. Senatorial district 28 shall consist of the following voting districts in Sedgwick county: (120080), (120090), (120100), (120180), (120190), (120210), (120230), (120240), (120250), (120270), (120280), (120310), (120510), (120520), (120530), (130190), (130200), (130210),

(130220), (130350), (130360), (130370), (130400), (130410), (130640), (130660), (130670), (130860), (130870), (131440), (131450), (131470), (131480), (131490), (131510), (131610), (131620), (131630), (131640); and the following blocks in voting district (500780), tract 0062.00, block group 2, in Sedgwick county: block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020; and the following blocks in voting district (500780), tract 0062.00, block group 3, in Sedgwick county: block 000, block 001, block 006, block 007, block 008, block 009, block 010; and the following voting districts in Sedgwick county: (500840), (500870), (500880), (500890), (500900), (500910), (500940), (501030); and the following blocks in voting district (501110), tract 0054.01, block group 1, in Sedgwick county: block 002, block 003, block 004, block 005, block 013, block 014, block 016, block 017, block 018, block 019; and the following blocks in voting district (501110), tract 0091.00, block group 4, in Sedgwick county: block 016, block 017, block 018; and the following blocks in voting district (501110), tract 0091.00, block group 5, in Sedgwick county: block 024, block 033, block 034; and the following voting districts in Sedgwick county: (501150), (501160), (501170), (501180), (501200), (501210), (501320), (502260), (502270); and the following blocks in voting district (502290), tract 0058.00, block group 4, in Sedgwick county: block 025, block 026, block 027, block 028; and the following blocks in voting district (502290), tract 0100.05, block group 3, in Sedgwick county: block 000; and the following blocks in voting district (502290), tract 0100.07, block group 1, in Sedgwick county: block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 017, block 018, block 019, block 020, block 021, block 022, block 023; and the following blocks in voting district (502570), tract 0100.07, block group 3, in Sedgwick county: block 015, block 016, block 017, block 018; and the following voting districts in Sedgwick county: (502610); and the following blocks in voting district (503590), tract 0056.00, block group 2, in Sedgwick county: block 003, block 004, block 005, block 006, block 039, block 040, block 042, block 043, block 045, block 046, block 048, block 050, block 051, block 053, block 054, block 055, block 057, block 058, block 060, block 062; and the following blocks in voting district (503590), tract 0056.00, block group 3, in Sedgwick county: block 019, block 021; and the following voting districts in Sedgwick county: (503650); and the following blocks in voting district (503940), tract 0054.01, block group 1, in Sedgwick county: block 006, block 008, block 009, block 010, block 011, block 012, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 031, block 032, block 037, block 038, block 046, block 048, block 061, block 062, block 063, block 064, block 071, block 076; and the following voting districts in Sedgwick county: (600020).

Sec. 33. Senatorial district 29 shall consist of the following voting districts in Sedgwick county: (120070), (120360), (130020), (130030), (130040), (500060), (500080), (500090), (500120), (500130), (500140), (500150), (500160), (500170), (500180), (500190), (500200), (500360), (500790), (500800), (500810), (501820), (501960), (501990).

Sec. 34. Senatorial district 30 shall consist of the following voting districts in Sedgwick county: (120030), (120040), (120200), (120220), (120260); and the following blocks in voting district (120370), tract 0100.02, block group 2, in Sedgwick county: block 023, block 024, block 028, block 043, block 044, block 045, block 047, block 049; and the following voting districts in Sedgwick county: (120380), (120410); and the following blocks in voting district (120430), tract 0072.01, block group 2, in Sedgwick county: block 011, block 014; and the following voting districts in Sedgwick county: (130010), (130090); and the following blocks in voting district (130100), tract 0072.01, block group 1, in Sedgwick county: block 000, block 021, block 022, block 023; and the following blocks in voting district (130100), tract 0072.07, block group 1, in Sedgwick county: block 000; and the following blocks in voting district (130100), tract 0100.02, block group 1, in Sedgwick county: block 003; and the following blocks in voting district (130100), tract 0100.02, block group 2, in Sedgwick county: block 027, block 031, block 046, block 048; and the following voting districts in Sedgwick county: (130140), (130150), (130620), (130630), (130650), (130840), (131100); and the following blocks in voting district (131110), tract 0072.01, block group 2, in Sedgwick county: block 024, block 029; and the following voting districts in Sedgwick county: (131120), (131140), (131150), (131170), (131180), (131210), (131220), (131230), (131240), (131250), (131260), (131270), (131280), (131290), (131500), (131520), (131530), (140010), (140060), (170010), (500110), (500370), (500380), (500390), (500400), (500410), (500420), (500430), (500440), (500450); and the following blocks in voting district (500560), tract 0072.01, block group 1, in Sedgwick county: block 003; and the following blocks in voting district (500560), tract 0072.01, block group 2, in Sedgwick county: block 012, block 013, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 025, block 026; and the following blocks in voting district (500560), tract 0072.01, block group 3, in Sedgwick county: block 000, block 009, block 010, block 012, block 016, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053; and the following blocks in voting district (500560), tract 0100.02, block group 2, in Sedgwick county: block 018, block 025, block 026; and the following voting districts in Sedgwick county: (500570), (500580), (500590), (502280); and the following blocks in

voting district (502290), tract 0100.07, block group 3, in Sedgwick county: block 036, block 037; and the following voting districts in Sedgwick county: (502400); and the following blocks in voting district (502570), tract 0100.06, block group 1, in Sedgwick county: block 000, block 001, block 005, block 006, block 007, block 008, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 057, block 058, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072; and the following blocks in voting district (502570), tract 0100.07, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 039, block 041, block 042, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074; and the following voting districts in Sedgwick county: (502580), (503030), (503070), (503120), (503180), (503190), (503700), (503740); and the following blocks in voting district (503760), tract 0097.00, block group 1, in Sedgwick county: block 021, block 022, block 036, block 045, block 046, block 047; and the following blocks in voting district (503760), tract 0097.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046; and the following blocks in voting district (503760), tract 0097.00, block group 4, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 030, block 031, block 032, block

033, block 035, block 036, block 040, block 041, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 059, block 060, block 061, block 062; and the following blocks in voting district (503770), tract 0097.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 004, block 005, block 006, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 048, block 049, block 050, block 051, block 052; and the following voting districts in Sedgwick county: (600010), (700590), (800010); and the following voting districts in Sumner county: (000220), (120030), (12003A), (120050), (900040), (900050).

Sec. 35. Senatorial district 31 shall consist of all of Harvey county; and the following voting districts in Sedgwick county: (120140), (120150); and the following blocks in voting district (120330), tract 0101.13, block group 1, in Sedgwick county: block 042; and the following blocks in voting district (120330), tract 0101.13, block group 2, in Sedgwick county: block 029, block 030, block 031, block 034; and the following voting districts in Sedgwick county: (120340), (120350), (120490), (120500), (120540); and the following blocks in voting district (121310), tract 0095.14, block group 2, in Sedgwick county: block 030; and the following voting districts in Sedgwick county: (121320), (121330), (130050), (130060); and the following blocks in voting district (130450), tract 0095.14, block group 2, in Sedgwick county: block 001, block 003, block 004, block 005, block 006, block 007, block 010, block 011, block 031; and the following voting districts in Sedgwick county: (130480), (130490), (130500), (130680), (130700), (130710), (130720), (130730), (130740), (130750), (130760), (130770), (130780), (130790), (130800), (130940), (130950), (130960), (130970), (130980), (130990), (131010), (131020), (131030), (131040), (131050), (131060), (131070), (131080), (131310), (131320), (131350), (131360), (131380), (131390), (131550), (131560), (131570), (131580), (131590), (131600), (140030), (140050), (150010), (150020), (150030), (170050), (190030), (190050), (500280); and the following blocks in voting district (501480), tract 0103.02, block group 4, in Sedgwick county: block 087; and the following voting districts in Sedgwick county: (501940), (502000), (502010), (502030), (502040), (502070), (502480), (502560), (502830), (502850), (502890), (502900), (502930), (502960), (503290), (503370), (503400), (503470), (503490), (503500), (503800), (700010); and the following blocks in voting district (700210), tract 0103.01, block group 2, in Sedgwick county: block 000, block 001, block 009, block 015, block 019,

block 026, block 027; and the following blocks in voting district (700210), tract 0103.02, block group 1, in Sedgwick county: block 005, block 007, block 008, block 011, block 012, block 013, block 015, block 016, block 020, block 021, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 037; and the following blocks in voting district (700210), tract 0103.02, block group 3, in Sedgwick county: block 059, block 062; and the following blocks in voting district (700210), tract 0103.02, block group 4, in Sedgwick county: block 067, block 068, block 077, block 081, block 085, block 086, block 093, block 095, block 098, block 099; and the following voting districts in Sedgwick county: (700310), (700330), (700350), (700390), (700400).

Sec. 36. Senatorial district 32 shall consist of the following voting districts in Butler county: (00002A), (000030), (00004A), (000050), (000080), (000110), (000130), (000270), (000300), (000380), (000440), (000450), (120050), (80010B); and all of Cowley county; and all of Harper county; and the following voting districts in Sumner county: (000010), (000020), (00002A), (00002B), (000030), (000040), (000050), (000060), (000070), (000080), (000090), (000100), (000110), (000120), (000130), (000140), (000150), (000160), (000170), (000180), (000190), (000200), (000210), (000230), (000240), (000250), (000260), (000270), (000280), (000290), (000300), (000310), (000320), (000340), (000350), (000360), (000370), (00037A), (000380), (000390), (000400), (00041A), (120070), (120120), (120130), (12013A), (900010), (900020), (900030), (900060).

Sec. 37. Senatorial district 33 shall consist of all of Barton county; and all of Comanche county; and all of Edwards county; and all of Ellsworth county; and all of Kiowa county; and all of Ness county; and all of Pawnee county; and all of Pratt county; and all of Rice county; and all of Rush county; and all of Stafford county.

Sec. 38. Senatorial district 34 shall consist of all of Barber county; and all of Kingman county; and all of Reno county.

Sec. 39. Senatorial district 35 shall consist of the following voting districts in Johnson county: (000030), (001340), (00140B), (00147B), (001490), (001500), (001510), (002160), (002180), (002190), (002200), (002210), (00222A), (00222B), (002230), (002240), (00226B), (00249A), (004300), (900010), (900020); and the following blocks in voting district (900460), tract 0530.05, block group 1, in Johnson county: block 010, block 011, block 012, block 013; and the following voting districts in Johnson county: (900790), (900800), (900810), (900820), (900840), (900860), (900880), (900890), (900920), (900930), (900940), (901000), (901010), (901020), (901030), (901040), (901120), (901130), (901180), (901220), (920240), (920330), (920440), (920580), (920590), (920840), (920850), (920860), (920980), (921010).

Sec. 40. Senatorial district 36 shall consist of all of Clay county; and all of Cloud county; and all of Jewell county; and all of Lincoln county; and the following voting districts in Marshall county: (000100), (000130), (000150), (000160), (00017A), (00018A), (00018B), (00019A), (00019B), (00019C), (000200), (000230), (000270), (190010); and all of Mitchell county; and all of Osborne county; and all of Ottawa county; and the following voting districts in Phillips county: (000010), (000040), (000050), (000070), (000080), (000090), (000110), (000120), (000170), (000190), (000210), (000230), (000240), (000250), (000270), (000280), (190010), (190020); and all of Republic county; and all of Rooks county; and all of Russell county; and all of Smith county; and all of Washington county.

Sec. 41. Senatorial district 37 shall consist of the following voting districts in Johnson county: (000090), (00014A), (00014C), (000160), (001090), (001130), (001200), (001210), (001220), (00153J), (00153K), (00153P), (004030), (004040), (004140), (004180), (100040), (12003B), (190020), (190030), (900080), (900090), (900100), (900110), (900120), (900130), (900150), (900160), (900170), (900180), (900570), (900640), (900660), (900680), (900700), (900740), (900760), (901510), (901560), (901730), (901750), (901810), (901820), (901830), (901900), (901950), (920230), (920390), (920410), (920420), (92043A), (920450), (920460), (920470), (920530), (920670), (920680), (920690), (920750), (920760), (920790), (921070), (921080); and the following voting districts in Miami county: (00003B), (00004B), (00004C), (00004D), (000080); and the following blocks in voting district (00019A), tract 1001.00, block group 2, in Miami county: block 033, block 034; and the following blocks in voting district (00019A), tract 1002.00, block group 4, in Miami county: block 062; and the following blocks in voting district (00019A), tract 1005.00, block group 3, in Miami county: block 016; and the following blocks in voting district (00019A), tract 1006.01, block group 4, in Miami county: block 000, block 001; and the following voting districts in Miami county: (000200), (000220), (000260), (120020), (120030), (120040); and the following blocks in voting district (120050), tract 1001.00, block group 1, in Miami county: block 010, block 011, block 012, block 017, block 018, block 019, block 020, block 032, block 061; and the following blocks in voting district (120050), tract 1001.00, block group 3, in Miami county: block 000; and the following blocks in voting district (120050), tract 1002.00, block group 3, in Miami county: block 048; and the following voting districts in Miami county: (120080), (120090), (180010), (180020), (180030), (300010), (900090), (900100), (900110).

Sec. 42. Senatorial district 38 shall consist of all of Clark county; and all of Ford county; and all of Gray county; and all of Haskell county; and all of Hodgeman county; and all of Meade county; and all of Seward county.

Sec. 43. Senatorial district 39 shall consist of all of Finney county; and all of Grant county; and all of Greeley county; and all of Hamilton county; and all of Kearny county; and all of Lane county; and all of Morton county; and all of Scott county; and all of Stanton county; and all of Stevens county; and all of Wichita county.

Sec. 44. Senatorial district 40 shall consist of all of Cheyenne county; and all of Decatur county; and all of Ellis county; and all of Gove county; and all of Graham county; and all of Logan county; and all of Norton county; and the following voting districts in Phillips county: (000020), (000030), (000060), (000100), (000130), (000140), (000150), (000200), (000220), (000260); and all of Rawlins county; and all of Sheridan county; and all of Sherman county; and all of Thomas county; and all of Trego county; and all of Wallace county.

Sec. 45. In accordance with section 2 of article 2 of the constitution of the state of Kansas, the state of Kansas is divided into 125 single-member state representative districts. Such districts are reapportioned in accordance with section 1 of article 10 of the constitution of the state of Kansas.

Sec. 46. (a) As used in sections 45 through 173, and amendments thereto, “voting district,” “tract,” “block group” or “block” means, respectively, a voting district (VTD), tract, block group or block identified on the official United States 2020 decennial census maps.

(b) Voting districts, tracts, block groups and blocks are referred to in sections 45 through 173, and amendments thereto, by the alphanumeric code by which they are identified on the official United States 2020 decennial census maps and data lists.

(c) The boundaries of counties, voting districts, tracts, block groups and blocks referred to in sections 45 through 173, and amendments thereto, are those boundaries as they exist and are identified on the official United States 2020 decennial census maps.

Sec. 47. (a) If a county, voting district, tract, block group or block is not included within a representative district established by this act, such county, voting district, tract, block group or block shall be attached to the representative district to which such county, voting district, tract, block group or block is contiguous and, if contiguous to more than one representative district, such county, voting district, tract, block group or block shall be attached to the contiguous representative district that has the least total population.

(b) If a county, voting district, tract, block group or block is included in two or more representative districts established by this act, such county, voting district, tract, block group or block shall be attached to and become a part of the representative district that has the least total population.

Sec. 48. The provisions of this act shall not affect the term of any representative elected to represent a district at the general election of 2020 or the term of any successor to such representative serving for an unexpired term. All such representatives shall continue to serve the districts from which elected until the representatives elected from the representative districts established by this act commence their terms of office in January of 2023.

Sec. 49. Representative district 1 shall consist of all of Cherokee county; and the following voting districts in Labette county: (000030), (000040), (000050), (000060), (000080), (000180), (00019A), (000200), (000210), (000360), (120040), (12004A), (12004B).

Sec. 50. Representative district 2 shall consist of the following voting districts in Crawford county: (000010), (000030), (000033), (000040), (000050), (00005A), (000060), (000080), (000090), (000100), (000110), (00012A), (00013A), (00013B), (00014A), (000150), (00016A), (00017A), (00017B), (000180), (000190), (000200), (000210), (000230), (000240), (000250), (000260), (000280), (000450), (000460), (000470), (000490), (000500), (000A41), (000A51), (000A62), (000A82), (000A83), (190010), (190020), (190030), (900020); and the following voting districts in Neosho county: (000010); and the following blocks in voting district (00002A), tract 9516.00, block group 4, in Neosho county: block 050, block 061, block 062, block 063, block 082; and the following blocks in voting district (00002A), tract 9519.00, block group 3, in Neosho county: block 054, block 057, block 059, block 060, block 061, block 067, block 068, block 069, block 070, block 071, block 072, block 073; and the following blocks in voting district (00002A), tract 9520.00, block group 1, in Neosho county: block 002, block 003, block 005; and the following voting districts in Neosho county: (000030), (000040), (000050), (000060); and the following blocks in voting district (000090), tract 9518.00, block group 1, in Neosho county: block 009, block 011, block 012, block 013, block 014, block 021, block 022, block 040; and the following blocks in voting district (000110), tract 9519.00, block group 1, in Neosho county: block 018, block 082; and the following blocks in voting district (00012A), tract 9519.00, block group 3, in Neosho county: block 004, block 017, block 046, block 048, block 053; and the following voting districts in Neosho county: (00012B), (00012C), (00012D), (000140), (000150), (000160), (000170), (000180), (000190), (000210); and the following blocks in voting district (00022A), tract 9518.00, block group 1, in Neosho county: block 016, block 017, block 018, block 019, block 020, block 041, block 055, block 056; and the following blocks in voting district (00022B), tract 9518.00, block group 1, in Neosho county: block 008; and the following voting districts in Neosho county: (00022C), (00022D), (000230), (000240), (120030), (900010).

Sec. 51. Representative district 3 shall consist of the following voting districts in Crawford county: (000020), (000070), (00022A), (000270), (000290), (000300), (000310), (000320), (000330), (000340), (000350), (000360), (000370), (00038A), (000390), (000400), (000410), (00042A), (000430), (00044A), (000480), (900010), (90001A), (900040), (900050).

Sec. 52. Representative district 4 shall consist of all of Bourbon county; and the following voting districts in Linn county: (000010), (000020), (000040), (000050), (000060), (000070), (000080), (000090), (000100), (000110), (000120), (000130).

Sec. 53. Representative district 5 shall consist of the following blocks in voting district (000620), tract 0012.03, block group 2, in Douglas county: block 029, block 030, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 066, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 091, block 092, block 093, block 105, block 106; and the following blocks in voting district (000620), tract 0012.03, block group 3, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 041; and the following voting districts in Douglas county: (000630), (000640); and the following blocks in voting district (000660), tract 0012.01, block group 1, in Douglas county: block 147; and the following blocks in voting district (000660), tract 0012.03, block group 1, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 080, block 082, block 083; and the following blocks in voting district (000660), tract 0012.03, block group 2, in Douglas county: block 006, block 007, block 008, block 009, block 031, block 032; and the following voting districts in Douglas county: (120330), (120340), (120430), (120440); and the following blocks in voting district (120450), tract 0012.01, block group 1, in Douglas county: block 111, block 112, block 113, block 114, block 124, block 125, block 126; and the following blocks in voting district (120450), tract 0012.03, block group 1, in Douglas county: block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024; and the following voting districts in Douglas county: (120460), (18062A); and the following voting districts in Franklin county: (000050); and the following blocks in voting district (000090), tract 0537.01, block group 1, in Johnson county: block 000, block 002, block 003, block 004, block 005,

block 006, block 007, block 008, block 010, block 012, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046; and the following blocks in voting district (000090), tract 0537.01, block group 2, in Johnson county: block 070, block 071, block 079, block 091; and the following blocks in voting district (000160), tract 0537.05, block group 1, in Johnson county: block 000, block 001; and the following blocks in voting district (000160), tract 0537.05, block group 2, in Johnson county: block 000, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025; and the following blocks in voting district (000160), tract 0537.12, block group 4, in Johnson county: block 005, block 006, block 007; and the following blocks in voting district (00311A), tract 0538.01, block group 1, in Johnson county: block 008, block 009, block 010, block 011, block 012, block 014, block 015, block 016, block 018, block 023; and the following blocks in voting district (00311A), tract 0538.01, block group 4, in Johnson county: block 008, block 009; and the following blocks in voting district (003120), tract 0538.01, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 013, block 017, block 019, block 020, block 021, block 022, block 024; and the following blocks in voting district (003120), tract 0538.01, block group 2, in Johnson county: block 010, block 011, block 012; and the following voting districts in Johnson county: (004030), (004040), (900080); and the following blocks in voting district (900130), tract 0537.12, block group 4, in Johnson county: block 029, block 030, block 037; and the following voting districts in Johnson county: (900650); and the following blocks in voting district (901730), tract 0537.05, block group 2, in Johnson county: block 001; and the following blocks in voting district (901730), tract 0537.11, block group 2, in Johnson county: block 030, block 031; and the following blocks in voting district (901730), tract 0537.12, block group 4, in Johnson county: block 002, block 008; and the following blocks in voting district (901830), tract 0537.12, block group 3, in Johnson county: block 013; and the following blocks in voting district (901830), tract 0537.12, block group 4, in Johnson county: block 003, block 004, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 024, block 025, block 026, block 027, block 028, block 033, block 034, block 035, block 036, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053,

block 054, block 055, block 056, block 057, block 058, block 062, block 064, block 065, block 066, block 067, block 072, block 073, block 074, block 075, block 076, block 077, block 081, block 082; and the following blocks in voting district (901970), tract 0536.03, block group 2, in Johnson county: block 071, block 072, block 079; and the following blocks in voting district (920450), tract 0537.01, block group 1, in Johnson county: block 001, block 009, block 011, block 013, block 014, block 015; and the following blocks in voting district (920450), tract 0537.01, block group 2, in Johnson county: block 065, block 068, block 069, block 072, block 074, block 075, block 077, block 080, block 081, block 083, block 085, block 086, block 087, block 088, block 089, block 090, block 092, block 093, block 095, block 096, block 100, block 101, block 102, block 103, block 104, block 105, block 106; and the following blocks in voting district (920750), tract 0537.11, block group 2, in Johnson county: block 032; and the following blocks in voting district (920750), tract 0537.12, block group 4, in Johnson county: block 000, block 001; and the following blocks in voting district (920790), tract 0537.01, block group 2, in Johnson county: block 066, block 067, block 094; and the following blocks in voting district (920790), tract 0537.12, block group 3, in Johnson county: block 014, block 015, block 016; and the following blocks in voting district (920790), tract 0537.12, block group 4, in Johnson county: block 063, block 068, block 069, block 070, block 071, block 078, block 080; and the following voting districts in Johnson county: (921080); and the following blocks in voting district (000060), tract 1007.00, block group 7, in Miami county: block 063, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 091, block 092, block 093; and the following blocks in voting district (000100), tract 1007.00, block group 3, in Miami county: block 021, block 022, block 023, block 039; and the following blocks in voting district (000100), tract 1007.00, block group 4, in Miami county: block 000; and the following blocks in voting district (000100), tract 1007.00, block group 6, in Miami county: block 000, block 015, block 016, block 017, block 018, block 019; and the following blocks in voting district (000100), tract 1007.00, block group 7, in Miami county: block 013, block 014, block 022, block 023, block 024, block 025, block 027, block 028, block 029, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 051, block 052, block 053, block 054, block 056, block 057, block 058, block 062, block 065, block 066, block 068, block 069, block 070, block 071, block 083, block 088, block 089, block 094, block 102, block 103; and the following voting districts in Miami county: (00012A), (00012B), (00013A), (00013B), (00013C); and the following blocks in voting district (000140), tract 1007.00, block group 4, in Miami

county: block 014, block 015, block 016, block 017, block 018, block 019, block 021, block 035, block 036; and the following blocks in voting district (000140), tract 1007.00, block group 5, in Miami county: block 021; and the following blocks in voting district (000140), tract 1007.00, block group 7, in Miami county: block 060, block 061; and the following blocks in voting district (000200), tract 1001.00, block group 1, in Miami county: block 014, block 015, block 059; and the following blocks in voting district (000200), tract 1001.00, block group 2, in Miami county: block 047; and the following blocks in voting district (000200), tract 1001.00, block group 3, in Miami county: block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 014; and the following blocks in voting district (000200), tract 1001.00, block group 4, in Miami county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097; and the following blocks in voting district (000200), tract 1006.02, block group 1, in Miami county: block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015; and the following blocks in voting district (00023A), tract 1001.00, block group 1, in Miami county: block 001, block 002, block 003, block 005, block 007; and the following voting districts in Miami county: (00023B); and the following blocks in voting district (000240), tract 1006.02, block group 1, in Miami county: block 016, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 107, block 108, block 109, block 110; and the following blocks in voting district (000240), tract 1007.00, block group 6, in Miami county: block 001; and the following blocks in voting district (000240), tract

1007.00, block group 7, in Miami county: block 007, block 008, block 009, block 011, block 012, block 015, block 016, block 017, block 018, block 021, block 026, block 030, block 031, block 032, block 033, block 064, block 084, block 085, block 087, block 095, block 104; and the following blocks in voting district (120040), tract 1001.00, block group 1, in Miami county: block 013, block 016, block 052, block 053, block 054, block 057, block 058, block 062; and the following blocks in voting district (120040), tract 1001.00, block group 3, in Miami county: block 001, block 002; and the following blocks in voting district (120050), tract 1001.00, block group 1, in Miami county: block 006, block 008, block 010, block 011, block 012, block 017, block 018, block 019, block 061, block 063; and the following blocks in voting district (120050), tract 1001.00, block group 3, in Miami county: block 000; and the following blocks in voting district (120080), tract 1001.00, block group 1, in Miami county: block 043, block 051; and the following blocks in voting district (120080), tract 1001.00, block group 3, in Miami county: block 003, block 005; and the following blocks in voting district (120080), tract 1001.00, block group 4, in Miami county: block 076, block 088; and the following voting districts in Miami county: (900070), (900130).

Sec. 54. Representative district 6 shall consist of the following blocks in voting district (000020), tract 1005.00, block group 4, in Miami county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 048, block 049, block 056, block 057, block 058; and the following voting districts in Miami county: (00003B), (00004B), (00004C), (00004D); and the following blocks in voting district (000050), tract 1005.00, block group 2, in Miami county: block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 096, block 097, block 098, block 099, block 100, block 107, block 108, block 139; and the following voting districts in Miami county: (000080); and the following blocks in voting district (000100), tract 1005.00, block group 1, in Miami county: block 018, block 019; and the following blocks in voting district (000100), tract 1005.00, block group 4, in Miami county: block 060, block 063; and the following blocks in voting district (000100), tract 1007.00, block group 1, in Miami county: block 040, block 041, block 050; and the following blocks in voting district (000100), tract 1007.00, block group 7, in Miami county: block 090, block 097, block 098, block 099, block 100; and the following voting districts in Miami county: (00011B); and the following blocks in voting district (000140), tract 1005.00, block group 1, in Miami county: block 020, block 022, block 023; and the following blocks in voting district (000140), tract 1005.00, block group 4, in Miami

county: block 064; and the following blocks in voting district (000140), tract 1007.00, block group 1, in Miami county: block 055, block 056; and the following blocks in voting district (000140), tract 1007.00, block group 2, in Miami county: block 000, block 001, block 027, block 028, block 031, block 032, block 033, block 034, block 035, block 036, block 037; and the following blocks in voting district (000140), tract 1007.00, block group 3, in Miami county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037; and the following voting districts in Miami county: (00016A), (00016B), (000170), (00018A), (00018B), (00018C), (00019A), (00019B); and the following blocks in voting district (000200), tract 1001.00, block group 2, in Miami county: block 045, block 046; and the following blocks in voting district (000200), tract 1006.02, block group 1, in Miami county: block 005; and the following voting districts in Miami county: (000220); and the following blocks in voting district (00023A), tract 1001.00, block group 1, in Miami county: block 022, block 023; and the following voting districts in Miami county: (00023C), (00023D); and the following blocks in voting district (000240), tract 1006.02, block group 1, in Miami county: block 025, block 047, block 048, block 106; and the following blocks in voting district (000250), tract 1004.00, block group 1, in Miami county: block 050, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 069, block 070, block 071, block 072; and the following blocks in voting district (000250), tract 1005.00, block group 2, in Miami county: block 000, block 001, block 101, block 102; and the following voting districts in Miami county: (000260), (000270), (020030), (120020), (120030); and the following blocks in voting district (120040), tract 1001.00, block group 1, in Miami county: block 021, block 028, block 029, block 030, block 031, block 041, block 044; and the following blocks in voting district (120050), tract 1001.00, block group 1, in Miami county: block 020, block 025, block 026, block 027, block 032, block 033; and the following blocks in voting district (120050), tract 1002.00, block group 1, in Miami county: block 020; and the following blocks in voting district (120050), tract 1002.00, block group 2, in Miami county: block 000, block 009, block 013, block 014; and the following blocks in voting district (120050), tract 1002.00, block group 3, in Miami county: block 035, block 036, block 041, block 043, block 048, block 052, block 053, block 054, block 059, block 060, block 076; and the following voting districts in Miami county: (120060), (120070); and the following blocks in voting district (120080), tract 1001.00, block group 1, in Miami county: block 034, block 035, block 036,

block 037, block 038, block 039, block 040, block 042, block 045, block 046, block 047, block 048, block 049, block 050, block 055, block 056; and the following blocks in voting district (120080), tract 1001.00, block group 2, in Miami county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 048, block 049; and the following blocks in voting district (120080), tract 1001.00, block group 3, in Miami county: block 004, block 013; and the following blocks in voting district (120080), tract 1002.00, block group 3, in Miami county: block 063; and the following blocks in voting district (120080), tract 1002.00, block group 4, in Miami county: block 029, block 045, block 052, block 053, block 060, block 061; and the following blocks in voting district (120080), tract 1005.00, block group 3, in Miami county: block 011, block 014, block 015, block 022; and the following blocks in voting district (120080), tract 1006.01, block group 4, in Miami county: block 002, block 010, block 011, block 012, block 013; and the following blocks in voting district (120080), tract 1006.02, block group 1, in Miami county: block 000, block 001, block 002, block 003, block 004, block 023; and the following voting districts in Miami county: (120090), (120100), (120110), (180010), (180020), (180030), (200010), (200020), (300010), (900010), (900020), (900030), (900040), (900050), (900080), (900090), (900100), (900110); and the following blocks in voting district (900120), tract 1005.00, block group 3, in Miami county: block 116; and the following blocks in voting district (900120), tract 1005.00, block group 4, in Miami county: block 021, block 022, block 023, block 024, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 035, block 036, block 038, block 042, block 043, block 044, block 045, block 046, block 047, block 055, block 061; and the following blocks in voting district (900120), tract 1006.01, block group 2, in Miami county: block 122, block 123; and the following blocks in voting district (900120), tract 1007.00, block group 1, in Miami county: block 002, block 003; and the following voting districts in Miami county: (900140), (900150), (900160), (900180), (900190).

Sec. 55. Representative district 7 shall consist of the following voting districts in Labette county: (00001A), (000020), (000070), (000090), (000100), (000110), (000120), (000130), (000140), (000150), (00016A), (00016B), (00016C), (000170), (000220), (00022A), (000230), (00024A), (000250), (000260), (00027A), (00027B), (000280), (00029A), (00029B), (000300), (000310), (000320), (000330), (000340), (000350), (000370);

and the following blocks in voting district (00002A), tract 9518.00, block group 3, in Neosho county: block 047, block 048, block 049, block 050, block 054, block 055, block 056, block 057, block 058, block 060, block 061, block 062; and the following blocks in voting district (00002A), tract 9519.00, block group 3, in Neosho county: block 063, block 066, block 075, block 080, block 081, block 082; and the following blocks in voting district (00002A), tract 9520.00, block group 1, in Neosho county: block 004, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 075, block 076, block 097, block 098, block 099, block 317, block 318, block 319, block 320, block 329, block 330, block 331, block 332, block 333; and the following voting districts in Neosho county: (000070), (000080); and the following blocks in voting district (000090), tract 9518.00, block group 1, in Neosho county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 054; and the following blocks in voting district (000090), tract 9518.00, block group 3, in Neosho county: block 005, block 006, block 007, block 008, block 009, block 019, block 020, block 021, block 022, block 023, block 027; and the following voting districts in Neosho county: (000100); and the following blocks in voting district (000110), tract 9519.00, block group1, in Neosho county: block 014, block 015, block 016, block 017, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 038, block 039, block 040, block 041, block 056, block 057, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 081, block 083, block 084; and the following blocks in voting district (00012A), tract 9518.00, block group 3, in Neosho county: block 039, block 041, block 051, block 052, block 053, block 059; and the following blocks in voting district (00012A), tract 9519.00, block group 3, in Neosho county: block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013,

block 014, block 016, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 062, block 064, block 065, block 076, block 077, block 078, block 079; and the following voting districts in Neosho county: (000200); and the following blocks in voting district (00022A), tract 9518.00, block group 1, in Neosho county: block 042, block 053; and the following blocks in voting district (00022A), tract 9518.00, block group 3, in Neosho county: block 026, block 032, block 034, block 035, block 040, block 042, block 043, block 044, block 045, block 046, block 063; and the following blocks in voting district (00022A), tract 9519.00, block group 3, in Neosho county: block 015; and the following blocks in voting district (00022B), tract 9518.00, block group 1, in Neosho county: block 007; and the following voting districts in Neosho county: (120020), (120040), (900020).

Sec. 56. Representative district 8 shall consist of the following voting districts in Johnson county: (001340); and the following blocks in voting district (00222B), tract 0530.10, block group 3, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007; and the following voting districts in Johnson county: (004300), (900810), (901000); and the following blocks in voting district (901010), tract 0534.21, block group 1, in Johnson county: block 011, block 013, block 014, block 015, block 016, block 017, block 018, block 020; and the following voting districts in Johnson county: (901020), (901040), (901120); and the following blocks in voting district (901130), tract 0534.27, block group 3, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (901140), tract 0534.18, block group 3, in Johnson county: block 008, block 009, block 010, block 011, block 012, block 013, block 014; and the following voting districts in Johnson county: (901180), (920330), (920970), (921010).

Sec. 57. Representative district 9 shall consist of all of Allen county; and all of Anderson county; and the following voting districts in Linn county: (000030); and the following blocks in voting district (000020), tract 1005.00, block group 2, in Miami county: block 017, block 018, block 019, block 020, block 021, block 024, block 033; and the following blocks in voting district (000020), tract 1005.00, block group 4, in Miami county: block 050, block 051, block 053; and the following blocks in voting district (000050), tract 1005.00, block group 2, in Miami county: block 015, block 016, block 022, block 023, block 026, block 034, block 035, block 037, block 040, block 041, block 042, block 043, block 081,

block 082, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 105, block 106, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 141, block 142, block 143, block 144, block 145; and the following blocks in voting district (000060), tract 1005.00, block group 1, in Miami county: block 066, block 067, block 068, block 072, block 073, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135; and the following voting districts in Miami county: (000090); and the following blocks in voting district (000100), tract 1005.00, block group 1, in Miami county: block 017, block 024, block 025, block 026, block 027, block 028, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 063, block 064, block 065, block 069, block 070, block 071; and the following blocks in voting district (000100), tract 1007.00, block group 3, in Miami county: block 038; and the following blocks in voting district (000100), tract 1007.00, block group 7, in Miami county: block 096; and the following blocks in voting district (000140), tract 1005.00, block group 1, in Miami county: block 137, block 138; and the following blocks in voting district (000250), tract 1004.00, block group 1, in Miami county: block 065, block 066, block 067, block 068, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104; and the following blocks in voting district (000250), tract 1005.00, block group 2, in Miami county: block 103, block 104, block 119, block 120, block 121, block 122, block 137, block 138; and the following blocks in voting district (900120), tract 1005.00, block group 1, in Miami county: block 000, block 001, block 002, block 003, block 004, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 016, block 029, block 033, block 034, block 043, block 047, block 048, block 141, block 142, block 143, block 144, block 145, block 146.

Sec. 58. Representative district 10 shall consist of the following blocks in voting district (000200), tract 0008.02, block group 1, in Douglas coun-

ty: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 009, block 010, block 013, block 019, block 020, block 021, block 022; and the following blocks in voting district (000200), tract 0008.02, block group 2, in Douglas county: block 000, block 001, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023; and the following blocks in voting district (000200), tract 0008.02, block group 3, in Douglas county: block 015; and the following blocks in voting district (000200), tract 0009.02, block group 3, in Douglas county: block 006, block 007, block 010; and the following blocks in voting district (000230), tract 0008.02, block group 2, in Douglas county: block 011; and the following blocks in voting district (000310), tract 0003.02, block group 1, in Douglas county: block 003, block 004, block 005, block 006, block 007; and the following blocks in voting district (000310), tract 0003.02, block group 3, in Douglas county: block 003, block 004; and the following blocks in voting district (000320), tract 0003.02, block group 1, in Douglas county: block 000, block 001, block 002, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following blocks in voting district (000320), tract 0003.02, block group 2, in Douglas county: block 000, block 006, block 007, block 008, block 009, block 010, block 011; and the following voting districts in Douglas county: (000330), (000340), (000350), (000370), (000380); and the following blocks in voting district (000400), tract 0002.02, block group 3, in Douglas county: block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (000450), tract 0010.02, block group 2, in Douglas county: block 024, block 026, block 027, block 030, block 031, block 032, block 033, block 034, block 035, block 046, block 047, block 048; and the following blocks in voting district (000450), tract 0010.02, block group 3, in Douglas county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 017, block 018, block 019, block 020; and the following voting districts in Douglas county: (00067B), (120090), (120100), (120110), (120120); and the following blocks in voting district (120130), tract 0002.02, block group 3, in Douglas county: block 000, block 001, block 019, block 020, block 021, block 022; and the following blocks in voting district (120130), tract 0002.02, block group 4, in Douglas county: block 001, block 002, block 003; and the following voting districts in Douglas county: (120140), (120150), (120170); and the following blocks in voting district (120410), tract 0009.02, block group 3, in Douglas county: block 000, block 001, block 002, block 012, block 013, block 014, block 015, block 016, block 023, block 024; and the following blocks in voting district (120420), tract 0008.02, block group 2, in Douglas county: block 004, block 012; and the

following voting districts in Douglas county: (160760); and the following blocks in voting district (160770), tract 0002.01, block group 2, in Douglas county: block 016, block 017, block 018, block 019, block 020, block 021; and the following blocks in voting district (160770), tract 0002.02, block group 4, in Douglas county: block 004, block 005, block 006, block 007; and the following blocks in voting district (160770), tract 0010.02, block group 3, in Douglas county: block 000; and the following voting districts in Douglas county: (18066A), (18066B), (190100); and the following blocks in voting district (200010), tract 0010.01, block group 2, in Douglas county: block 030, block 031, block 032, block 033; and the following blocks in voting district (200010), tract 0010.02, block group 2, in Douglas county: block 025, block 043, block 044, block 045, block 053, block 054, block 055, block 056, block 057, block 059, block 063, block 064.

Sec. 59. Representative district 11 shall consist of the following voting districts in Montgomery county: (000070), (000080), (00008A), (000090), (000100), (000110), (000120), (000130), (000140), (000150), (000160), (000170), (000180), (000190), (000200), (000210), (000220), (000230), (000240), (000250); and the following blocks in voting district (000260), tract 9507.00, block group 3, in Montgomery county: block 031; and the following voting districts in Montgomery county: (000270), (000280), (000290), (000310); and the following blocks in voting district (00032A), tract 9505.00, block group 2, in Montgomery county: block 030, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 055, block 056, block 057, block 058, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084; and the following blocks in voting district (00032A), tract 9506.00, block group 2, in Montgomery county: block 006; and the following blocks in voting district (00032A), tract 9506.00, block group 3, in Montgomery county: block 016, block 017, block 018, block 019, block 023, block 024, block 025, block 026; and the following voting districts in Montgomery county: (00032B), (000330), (000340), (00040B), (00040C), (000410), (000430), (00044A), (00044B), (00044C), (000470), (120040), (12004A); and the following blocks in voting district (120050), tract 9503.00, block group 1, in Montgomery county: block 010, block 011; and the following voting districts in Montgomery county: (12005A), (120060); and the following blocks in voting district (120070), tract 9505.00, block group 2, in Montgomery county: block 085; and the following voting districts in Montgomery county: (120100), (120110), (12011B), (180040), (180050), (180060), (180070), (900010), (90001A), (900020), (900040).

Sec. 60. Representative district 12 shall consist of the following voting districts in Butler county: (000080), (000110); and the following blocks in voting district (000130), tract 0209.03, block group 3, in Butler county: block 014, block 015, block 016, block 017, block 039, block 040, block 041, block 057, block 058, block 059, block 060, block 108, block 109, block 110, block 119; and the following voting districts in Butler county: (000260), (000270), (000290), (000300); and the following blocks in voting district (000360), tract 0201.01, block group 2, in Butler county: block 225; and the following blocks in voting district (000360), tract 0201.02, block group 2, in Butler county: block 000; and the following voting districts in Butler county: (000380), (000390), (000410), (000440); and the following blocks in voting district (000450), tract 0209.01, block group 1, in Butler county: block 023, block 024, block 031, block 032, block 033, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 079, block 090, block 091, block 097; and all of Chautauqua county; and the following voting districts in Cowley county: (000180), (000190); and the following blocks in voting district (000200), tract 4939.00, block group 2, in Cowley county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 020, block 059, block 060, block 061, block 066, block 067, block 068, block 071, block 078, block 079, block 084, block 093; and the following blocks in voting district (000210), tract 4933.00, block group 1, in Cowley county: block 117, block 118, block 128; and the following blocks in voting district (000210), tract 4939.00, block group 1, in Cowley county: block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 034, block 035, block 037, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 069, block 070, block 071, block 072, block 073, block 074, block 087, block 088; and the following blocks in voting district (000220), tract 4932.00, block group 1, in Cowley county: block 426; and the following voting districts in Cowley county: (000230), (000240), (000250), (000280), (000290), (000310), (000330), (000340), (000350), (000360), (000370), (000380), (000430), (00053B); and all of Elk county; and the following voting districts in Montgomery county: (00001A), (00001B), (00001C), (000020), (000030), (000040), (000050), (000060); and the following blocks in voting district (000260), tract 9507.00, block group 1, in Montgomery county: block 101, block 114, block 115, block 116, block 118, block 119, block 120, block 121, block 122, block 187, block 188, block 189, block 190, block 191; and the following blocks in voting district (000260), tract 9507.00, block group 2, in Montgomery county: block 000, block 001, block 002, block 005, block 006, block 007, block 008, block 015, block 016, block 017, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 040, block 041, block 056, block 057, block 069, block 070;

and the following blocks in voting district (000260), tract 9507.00, block group 3, in Montgomery county: block 027, block 028, block 029, block 034, block 035, block 038, block 039, block 041, block 042, block 043, block 045, block 096, block 099, block 100, block 102, block 103, block 106; and the following voting districts in Montgomery county: (000300); and the following blocks in voting district (00032A), tract 9505.00, block group 2, in Montgomery county: block 014, block 020, block 021, block 022, block 023, block 025, block 026, block 027, block 028, block 029, block 059, block 060, block 086, block 088, block 090, block 097, block 098; and the following voting districts in Montgomery county: (000350), (000360), (000420), (000450), (120020), (120030); and the following blocks in voting district (120050), tract 9503.00, block group 3, in Montgomery county: block 000, block 001, block 016, block 017, block 018; and the following blocks in voting district (120070), tract 9505.00, block group 2, in Montgomery county: block 024, block 091, block 092, block 093, block 094, block 095, block 102; and the following blocks in voting district (120070), tract 9507.00, block group 1, in Montgomery county: block 015, block 016, block 017, block 018, block 019, block 020, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 051, block 052, block 053, block 054, block 055, block 056, block 089, block 090, block 091, block 092, block 093, block 096, block 097, block 098, block 099, block 100, block 117, block 118, block 198, block 203, block 204; and the following blocks in voting district (120070), tract 9507.00, block group 3, in Montgomery county: block 007, block 008, block 015, block 016, block 017, block 018; and the following voting districts in Montgomery county: (120090), (180010), (180020), (18002A), (18002B), (180030), (18003A), (900030), (90003A), (900050), (900060).

Sec. 61. Representative district 13 shall consist of all of Chase county; and all of Greenwood county; and the following voting districts in Lyon county: (00006A), (00006B), (00006C); and the following blocks in voting district (000270), tract 0003.00, block group 4, in Lyon county: block 015, block 029, block 037, block 038; and the following blocks in voting district (000270), tract 0007.00, block group 2, in Lyon county: block 051, block 052, block 053, block 054, block 055, block 056, block 058, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 077, block 088, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 111, block 112, block 113, block 114, block 115, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 159, block 160, block 161, block 162, block 163, block 164, block 167, block 172, block 173, block 175, block 176, block 177, block 178, block 179, block 180, block 181, block 182,

block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 197, block 200, block 201, block 205; and the following blocks in voting district (00028A), tract 0003.00, block group 6, in Lyon county: block 011; and the following blocks in voting district (00028A), tract 0008.00, block group 3, in Lyon county: block 259, block 260, block 264; and the following blocks in voting district (000290), tract 0003.00, block group 4, in Lyon county: block 014, block 030, block 031, block 032, block 033, block 034, block 036, block 039; and the following blocks in voting district (000290), tract 0003.00, block group 5, in Lyon county: block 007; and the following blocks in voting district (000290), tract 0003.00, block group 6, in Lyon county: block 004, block 005, block 006, block 009, block 010, block 014, block 017; and the following blocks in voting district (000290), tract 0007.00, block group 2, in Lyon county: block 106, block 107, block 108, block 109, block 110, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 156, block 157, block 158, block 165, block 166, block 168, block 169, block 170, block 171, block 174; and the following blocks in voting district (000310), tract 0007.00, block group 2, in Lyon county: block 194, block 195, block 196, block 198, block 199; and the following blocks in voting district (000310), tract 0008.00, block group 1, in Lyon county: block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 030, block 031, block 033, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 137, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167,

block 168, block 169, block 170, block 171, block 172, block 173, block 174, block 179, block 180, block 181, block 182, block 183, block 184, block 186, block 187, block 188; and the following voting districts in Lyon county: (900060); and all of Wilson county; and all of Woodson county.

Sec. 62. Representative district 14 shall consist of the following blocks in voting district (00117A), tract 0526.09, block group 3, in Johnson county: block 001, block 002, block 003, block 014; and the following blocks in voting district (00117A), tract 0528.04, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013; and the following blocks in voting district (00117A), tract 0528.04, block group 3, in Johnson county: block 009, block 010, block 011, block 012, block 013, block 016, block 017, block 018, block 019, block 020, block 021; and the following blocks in voting district (00117A), tract 0528.05, block group 2, in Johnson county: block 002; and the following voting districts in Johnson county: (001240), (001250), (004140); and the following blocks in voting district (004180), tract 0528.06, block group 3, in Johnson county: block 005, block 007, block 008, block 009; and the following voting districts in Johnson county: (900660), (900670), (900700), (900710), (900740), (900750), (900760), (900870), (901650), (901710); and the following blocks in voting district (920670), tract 0528.04, block group 1, in Johnson county: block 011, block 012; and the following voting districts in Johnson county: (920830).

Sec. 63. Representative district 15 shall consist of the following voting districts in Johnson county: (001000), (001010); and the following blocks in voting district (001070), tract 0535.08, block group 1, in Johnson county: block 009, block 010; and the following voting districts in Johnson county: (001090); and the following blocks in voting district (001130), tract 0536.04, block group 4, in Johnson county: block 000, block 001, block 002, block 008, block 009, block 010, block 011, block 012; and the following voting districts in Johnson county: (001150); and the following blocks in voting district (001160), tract 0529.06, block group 3, in Johnson county: block 006, block 007, block 008, block 009, block 013, block 014, block 015, block 016, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 038, block 039; and the following blocks in voting district (001160), tract 0535.55, block group 1, in Johnson county: block 000, block 001, block 002, block 010, block 011; and the following blocks in voting district (001160), tract 0535.55, block group 2, in Johnson county: block 003, block 004; and the following voting districts in Johnson county: (001260), (001280), (001300); and the following blocks in voting district (001310), tract 0535.06, block group 2, in Johnson county: block 012, block 016; and the following voting districts in Johnson county: (001360); and the following blocks in voting district (001370), tract

0535.06, block group 1, in Johnson county: block 007, block 008, block 009, block 010, block 011, block 012, block 014, block 015, block 016, block 017; and the following voting districts in Johnson county: (00153P); and the following blocks in voting district (003120), tract 0538.01, block group 2, in Johnson county: block 001, block 002, block 003, block 007, block 013, block 014, block 015, block 018, block 019; and the following voting districts in Johnson county: (900570), (900620), (901510), (901550), (901560), (901780); and the following blocks in voting district (901810), tract 0536.03, block group 2, in Johnson county: block 003, block 004, block 005, block 006, block 007, block 008, block 010, block 011, block 012, block 013, block 014, block 015, block 017, block 018, block 019, block 027, block 028, block 029, block 035, block 036, block 044, block 073, block 075, block 076; and the following blocks in voting district (901970), tract 0536.03, block group 2, in Johnson county: block 055, block 064, block 068, block 069, block 070, block 074; and the following blocks in voting district (901970), tract 0538.01, block group 2, in Johnson county: block 000; and the following voting districts in Johnson county: (920230); and the following blocks in voting district (920630), tract 0536.03, block group 2, in Johnson county: block 031, block 032, block 033, block 034, block 039, block 040, block 042, block 043, block 051, block 052, block 053, block 056, block 057, block 058, block 059, block 061, block 063, block 065, block 067, block 077; and the following voting districts in Johnson county: (92071A), (920730); and the following blocks in voting district (920770), tract 0536.03, block group 2, in Johnson county: block 062.

Sec. 64. Representative district 16 shall consist of the following voting districts in Johnson county: (001840), (001860); and the following blocks in voting district (001890), tract 0519.04, block group 3, in Johnson county: block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 012, block 013; and the following blocks in voting district (001960), tract 0519.09, block group 1, in Johnson county: block 004; and the following blocks in voting district (001990), tract 0524.22, block group 4, in Johnson county: block 020; and the following voting districts in Johnson county: (002000), (002010), (002050), (002120), (002130), (002140), (00217A), (00217B), (002180), (002190); and the following blocks in voting district (00222A), tract 0530.10, block group 4, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005; and the following blocks in voting district (00222A), tract 0530.10, block group 6, in Johnson county: block 000, block 001, block 002, block 003; and the following blocks in voting district (00222B), tract 0530.10, block group 2, in Johnson county: block 000, block 001, block 002, block 003; and the following voting districts in Johnson county: (002230), (901050), (920320).

Sec. 65. Representative district 17 shall consist of the following voting districts in Johnson county: (000430), (000440), (000450), (002930); and the following blocks in voting district (002940), tract 0523.07, block group 1, in Johnson county: block 003, block 004, block 005, block 006; and the following blocks in voting district (002940), tract 0524.10, block group 1, in Johnson county: block 001; and the following blocks in voting district (002940), tract 0525.02, block group 1, in Johnson county: block 029, block 037, block 038, block 039, block 040, block 041, block 042, block 050, block 051, block 052, block 053, block 054; and the following blocks in voting district (002940), tract 9800.03, block group 1, in Johnson county: block 000; and the following voting districts in Johnson county: (003040), (003090), (900360), (900370); and the following blocks in voting district (900430), tract 0524.14, block group 1, in Johnson county: block 000, block 001, block 002, block 020, block 021, block 022, block 023; and the following blocks in voting district (900430), tract 0524.14, block group 2, in Johnson county: block 000; and the following voting districts in Johnson county: (900440), (901410); and the following blocks in voting district (901420), tract 0525.02, block group 1, in Johnson county: block 030, block 031, block 032, block 033, block 034, block 043, block 044, block 045, block 046, block 047, block 048, block 049; and the following blocks in voting district (901420), tract 0526.11, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015; and the following blocks in voting district (901420), tract 0526.11, block group 2, in Johnson county: block 003, block 005, block 006, block 008, block 009, block 010, block 011, block 012, block 013; and the following blocks in voting district (901420), tract 9800.03, block group 1, in Johnson county: block 003, block 004, block 005, block 009; and the following voting districts in Johnson county: (920130), (920140), (920150); and the following blocks in voting district (920510), tract 0523.07, block group 3, in Johnson county: block 001, block 002, block 004.

Sec. 66. Representative district 18 shall consist of the following voting districts in Johnson county: (002760), (002770), (002780); and the following blocks in voting district (002790), tract 0523.05, block group 2, in Johnson county: block 003, block 004, block 005, block 006, block 008; and the following blocks in voting district (002800), tract 0523.05, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012; and the following voting districts in Johnson county: (002850), (002860), (002870), (002880), (002890), (002900), (002910), (002920); and the following blocks in voting district (003030), tract 0524.19, block group 1, in Johnson county: block 000, block 001,

block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010; and the following voting districts in Johnson county: (003070); and the following blocks in voting district (900490), tract 0522.01, block group 3, in Johnson county: block 000, block 001, block 002, block 004, block 005; and the following blocks in voting district (900500), tract 0522.01, block group 3, in Johnson county: block 003, block 006, block 007, block 008, block 009, block 010, block 013, block 014, block 015; and the following blocks in voting district (900510), tract 0521.01, block group 2, in Johnson county: block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 016, block 017; and the following blocks in voting district (900510), tract 0522.01, block group 3, in Johnson county: block 011, block 012, block 016, block 017, block 018, block 019, block 020; and the following voting districts in Johnson county: (920370), (920500).

Sec. 67. Representative district 19 shall consist of the following voting districts in Johnson county: (000200), (000210), (000220), (000230); and the following blocks in voting district (001720), tract 0518.07, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following voting districts in Johnson county: (001770), (001830), (001850), (001870), (001880), (002280), (002290), (002300), (002310), (002320); and the following blocks in voting district (002340), tract 0518.06, block group 3, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011; and the following blocks in voting district (002350), tract 0518.06, block group 4, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008; and the following voting districts in Johnson county: (002620), (002630), (002640), (900990), (920110).

Sec. 68. Representative district 20 shall consist of the following voting districts in Johnson county: (000270), (000350), (001900), (002330); and the following blocks in voting district (002340), tract 0518.06, block group 5, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007; and the following blocks in voting district (002350), tract 0518.06, block group 6, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010; and the following blocks in voting district (002370), tract 0532.01, block group 2, in Johnson county: block 000; and the following blocks in voting district (002370), tract 0532.01, block group 3, in Johnson county: block 000, block 001, block 003, block 004, block 005, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017,

block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030; and the following blocks in voting district (002400), tract 0532.02, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007; and the following voting districts in Johnson county: (002410), (900190), (900200), (900210), (900220), (900230), (900250), (900260), (900270), (900300), (920120), (920540), (920870), (920880).

Sec. 69. Representative district 21 shall consist of the following blocks in voting district (001580), tract 0511.00, block group 1, in Johnson county: block 000, block 001, block 011, block 012, block 013, block 016, block 017, block 018, block 019, block 020, block 021; and the following voting districts in Johnson county: (001590), (001600), (001700); and the following blocks in voting district (001720), tract 0513.00, block group 3, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following voting districts in Johnson county: (002510); and the following blocks in voting district (002520), tract 0507.00, block group 3, in Johnson county: block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019; and the following blocks in voting district (002520), tract 0509.00, block group 2, in Johnson county: block 012; and the following blocks in voting district (002520), tract 0510.00, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 012; and the following blocks in voting district (002520), tract 0510.00, block group 3, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007; and the following voting districts in Johnson county: (002530), (002540), (002550), (002560), (002570), (002580), (002590), (002600), (002610), (002650), (002660), (002670), (920270); and the following blocks in voting district (920280), tract 0511.00, block group 2, in Johnson county: block 000, block 001, block 002, block 013, block 014, block 015, block 016, block 017, block 018, block 028, block 029, block 030.

Sec. 70. Representative district 22 shall consist of the following blocks in voting district (001630), tract 0519.07, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 011, block 012; and the following blocks in voting district (001630), tract 0519.07, block group 2, in Johnson county: block 002; and the following voting districts in Johnson county: (001640), (001650), (001660), (001670), (001680), (001690), (001710), (001730); and the following blocks in voting district (001740), tract 0519.12, block group 1, in Johnson county: block 000, block 001, block 011, block 012, block 013,

block 016, block 017, block 022, block 023, block 024, block 025; and the following voting districts in Johnson county: (001750), (001760), (001790), (001800), (001810), (001820), (001920); and the following blocks in voting district (001940), tract 0518.04, block group 1, in Johnson county: block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 027; and the following blocks in voting district (001960), tract 0519.09, block group 1, in Johnson county: block 006, block 014, block 015; and the following voting districts in Johnson county: (920290).

Sec. 71. Representative district 23 shall consist of the following voting districts in Johnson county: (000580), (000590), (000600), (000610), (000630), (000640); and the following blocks in voting district (000650), tract 0524.23, block group 1, in Johnson county: block 000, block 001, block 003, block 004, block 005, block 006, block 008, block 009, block 010, block 011, block 012, block 013; and the following blocks in voting district (000650), tract 0524.23, block group 2, in Johnson county: block 000, block 001, block 002; and the following blocks in voting district (000650), tract 0524.23, block group 3, in Johnson county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009; and the following blocks in voting district (000660), tract 9801.00, block group 1, in Johnson county: block 005, block 006; and the following blocks in voting district (001630), tract 0519.07, block group 1, in Johnson county: block 007, block 008, block 009, block 010; and the following blocks in voting district (001740), tract 0519.12, block group 1, in Johnson county: block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 014, block 015, block 018, block 019, block 020, block 021, block 026, block 027; and the following blocks in voting district (001740), tract 9801.00, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 007, block 008, block 009, block 010; and the following voting districts in Johnson county: (001780); and the following blocks in voting district (001990), tract 0524.22, block group 4, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 021; and the following blocks in voting district (003030), tract 0524.19, block group 2, in Johnson county: block 003, block 004, block 005, block 006; and the following voting districts in Johnson county: (003050), (003060), (003080); and the following blocks in voting district (900430), tract 0524.21, block group 2, in Johnson county: block 002, block 003, block 004, block 005, block 006, block 007; and the following blocks in voting district (920190), tract 0524.22, block group 1, in Johnson county: block 005, block 009, block 011, block 012; and the following blocks in voting district (920190),

tract 0524.23, block group 1, in Johnson county: block 002; and the following voting districts in Johnson county: (920200), (920380), (920490).

Sec. 72. Representative district 24 shall consist of the following voting districts in Johnson county: (000890), (000920), (000930); and the following blocks in voting district (000960), tract 0503.02, block group 2, in Johnson county: block 002, block 003, block 004, block 005, block 006, block 009, block 012, block 013, block 014, block 015; and the following voting districts in Johnson county: (001540), (001550), (001560), (001570); and the following blocks in voting district (001580), tract 0511.00, block group 1, in Johnson county: block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 014, block 015, block 022, block 023; and the following voting districts in Johnson county: (001610), (001620); and the following blocks in voting district (900490), tract 0522.01, block group 1, in Johnson county: block 015, block 016, block 017, block 018, block 019, block 020; and the following blocks in voting district (900490), tract 0522.01, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 006; and the following blocks in voting district (900500), tract 0522.01, block group 1, in Johnson county: block 021, block 022, block 023, block 024, block 027, block 028, block 029, block 030; and the following blocks in voting district (900500), tract 0522.01, block group 2, in Johnson county: block 004, block 005, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 016, block 017, block 021; and the following blocks in voting district (900510), tract 0521.01, block group 2, in Johnson county: block 003, block 004; and the following blocks in voting district (900510), tract 0522.01, block group 2, in Johnson county: block 014, block 019, block 020; and the following voting districts in Johnson county: (900520), (900530), (900540), (900550), (900560), (920260); and the following blocks in voting district (920280), tract 0511.00, block group 2, in Johnson county: block 003, block 012, block 019; and the following voting districts in Johnson county: (920560), (920570).

Sec. 73. Representative district 25 shall consist of the following voting districts in Johnson county: (000840), (000850), (000860), (000870), (000880), (000910), (000940), (000950); and the following blocks in voting district (000960), tract 0503.02, block group 2, in Johnson county: block 000, block 001, block 010, block 011, block 016, block 017, block 018; and the following voting districts in Johnson county: (002500); and the following blocks in voting district (002520), tract 0507.00, block group 3, in Johnson county: block 007, block 008, block 009, block 010; and the following blocks in voting district (002520), tract 0508.00, block group 3, in Johnson county: block 011, block 018; and the following voting districts in Johnson county: (002680), (002690), (002700), (002710), (002720), (002730), (002740), (002750), (003130), (003140), (003150), (920000),

(920010), (920020), (920030), (920040), (920050), (920060), (920070), (920080), (920090), (920210), (920350), (920360), (920940).

Sec. 74. Representative district 26 shall consist of the following blocks in voting district (000030), tract 0538.04, block group 4, in Johnson county: block 028, block 039, block 040, block 041; and the following voting districts in Johnson county: (001060), (00249A); and the following blocks in voting district (00311A), tract 0538.01, block group 3, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059; and the following blocks in voting district (00311A), tract 0538.01, block group 4, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 007, block 010, block 012, block 013, block 017, block 018, block 019, block 021, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 041, block 042; and the following blocks in voting district (00311A), tract 0538.01, block group 5, in Johnson county: block 003, block 006, block 007, block 008, block 009, block 012, block 014, block 015, block 016, block 017, block 019, block 020, block 023, block 024, block 028; and the following blocks in voting district (00311A), tract 0538.01, block group 6, in Johnson county: block 006, block 007, block 008, block 023, block 024, block 026, block 027, block 030, block 031, block 032, block 034, block 037, block 039, block 040, block 043, block 044, block 046, block 047, block 048, block 049; and the following voting districts in Johnson county: (00311B), (00311D); and the following blocks in voting district (003120), tract 0535.58, block group 1, in Johnson county: block 022, block 023; and the following blocks in voting district (003120), tract 0538.01, block group 3, in Johnson county: block 018, block 019; and the following blocks in voting district (003120), tract 0538.01, block group 4, in Johnson county: block 005, block 006; and the following blocks in voting district (003120), tract 0538.01, block group 5, in Johnson county: block 000, block 001, block 002, block 021, block 022, block 026, block 027; and the following blocks in voting district (003120), tract 0538.01, block group 6, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 009, block 010, block 012, block 013, block 014, block 015, block 016, block 017, block 038, block 041, block 042, block 045; and the following voting dis-

tricts in Johnson county: (004190), (900010), (900020), (900580); and the following blocks in voting district (900600), tract 0535.09, block group 1, in Johnson county: block 000, block 001, block 005; and the following blocks in voting district (900600), tract 0535.09, block group 4, in Johnson county: block 012, block 013; and the following voting districts in Johnson county: (900610); and the following blocks in voting district (900860), tract 0535.60, block group 1, in Johnson county: block 002, block 003, block 004, block 005, block 006, block 007, block 009, block 010; and the following voting districts in Johnson county: (900910), (900940), (900980); and the following blocks in voting district (901130), tract 0534.27, block group 2, in Johnson county: block 008, block 009, block 010, block 011, block 012, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024; and the following blocks in voting district (901130), tract 0538.04, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 018, block 019; and the following blocks in voting district (901220), tract 0538.04, block group 1, in Johnson county: block 017; and the following voting districts in Johnson county: (901570), (901610), (901630), (901880), (901890); and the following blocks in voting district (901970), tract 0535.58, block group 1, in Johnson county: block 016, block 017, block 019, block 020, block 021; and the following voting districts in Johnson county: (920610), (920620); and the following blocks in voting district (920630), tract 0535.58, block group 1, in Johnson county: block 018; and the following voting districts in Johnson county: (920640), (920700), (920720), (920740); and the following blocks in voting district (920770), tract 0535.58, block group 1, in Johnson county: block 005, block 006; and the following voting districts in Johnson county: (920800), (920810); and the following voting districts in Miami county: (00007B); and the following blocks in voting district (00023A), tract 1001.00, block group 1, in Miami county: block 000, block 024; and the following blocks in voting district (00023A), tract 1002.00, block group 1, in Miami county: block 000, block 001, block 002, block 003, block 004, block 005, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 021; and the following blocks in voting district (00023A), tract 1002.00, block group 2, in Miami county: block 003, block 004, block 005, block 006, block 007, block 008, block 010, block 011, block 012.

Sec. 75. Representative district 27 shall consist of the following voting districts in Johnson county: (000010), (000020); and the following blocks in voting district (000030), tract 0538.03, block group 1, in Johnson county: block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 044, block 045; and

the following blocks in voting district (000030), tract 0538.04, block group 4, in Johnson county: block 015, block 016, block 017, block 019, block 020, block 025, block 026, block 027, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 042, block 043, block 044, block 045, block 046, block 047; and the following voting districts in Johnson county: (000040), (002460), (002470), (00249E), (00249F); and the following blocks in voting district (900290), tract 0534.31, block group 1, in Johnson county: block 006, block 009, block 010, block 013, block 014; and the following voting districts in Johnson county: (900340); and the following blocks in voting district (901130), tract 0538.04, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011; and the following blocks in voting district (901140), tract 0534.18, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006; and the following blocks in voting district (901140), tract 0534.18, block group 3, in Johnson county: block 017, block 018, block 019, block 020; and the following blocks in voting district (901140), tract 0538.04, block group 3, in Johnson county: block 000, block 001; and the following blocks in voting district (901140), tract 0538.04, block group 4, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 021, block 022, block 023, block 024, block 029, block 030, block 031; and the following blocks in voting district (901150), tract 0534.11, block group 2, in Johnson county: block 005, block 006, block 007, block 008; and the following blocks in voting district (901150), tract 0534.18, block group 1, in Johnson county: block 018, block 019, block 020, block 021, block 022; and the following blocks in voting district (901150), tract 0538.03, block group 2, in Johnson county: block 016, block 017, block 018, block 019, block 020; and the following blocks in voting district (901160), tract 0534.30, block group 1, in Johnson county: block 017, block 018; and the following blocks in voting district (901160), tract 0534.30, block group 2, in Johnson county: block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026; and the following blocks in voting district (901160), tract 0534.31, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 007, block 008, block 011, block 012, block 015, block 016, block 017, block 018, block 019, block 020, block 021; and the following blocks in voting district (901160), tract 0534.31, block group 2, in Johnson county: block 008, block 010, block 011, block 012, block 014, block 015, block 017, block 019, block 022, block 028; and the following voting districts in Johnson county: (901170), (901210); and the following blocks in voting district (901220), tract 0538.04, block group 1, in Johnson county:

block 012, block 013, block 014, block 015, block 016; and the following blocks in voting district (901220), tract 0538.04, block group 2, in Johnson county: block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022; and the following blocks in voting district (901220), tract 0538.04, block group 4, in Johnson county: block 006, block 007, block 008, block 013, block 014, block 018; and the following voting districts in Johnson county: (901300), (901310), (920340), (920520), (920890), (920990), (921000).

Sec. 76. Representative district 28 shall consist of the following voting districts in Johnson county: (000370); and the following blocks in voting district (002370), tract 0532.01, block group 2, in Johnson county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009; and the following blocks in voting district (002400), tract 0532.02, block group 1, in Johnson county: block 008, block 009, block 010, block 011; and the following voting districts in Johnson county: (00242B), (00244B), (00249C), (900280); and the following blocks in voting district (900290), tract 0534.29, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 011, block 012, block 014, block 015, block 016, block 017, block 018, block 020, block 021, block 022; and the following voting districts in Johnson county: (900320), (900330), (901060), (901070), (901080); and the following blocks in voting district (901160), tract 0534.29, block group 1, in Johnson county: block 008, block 009, block 010, block 013, block 019, block 023, block 024, block 025; and the following voting districts in Johnson county: (901200).

Sec. 77. Representative district 29 shall consist of the following blocks in voting district (001890), tract 0519.04, block group 3, in Johnson county: block 011; and the following voting districts in Johnson county: (001910), (001930); and the following blocks in voting district (001940), tract 0518.04, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 023, block 024, block 025, block 026; and the following voting districts in Johnson county: (001950); and the following blocks in voting district (001960), tract 0519.09, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015; and the following voting districts in Johnson county: (001970), (001980), (002020), (002030), (002080), (002090), (002150), (002380), (002390), (00242A), (920300), (920310), (920950).

Sec. 78. Representative district 30 shall consist of the following voting districts in Johnson county: (000510), (000520); and the following blocks

in voting district (001420), tract 0529.07, block group 1, in Johnson county: block 000; and the following blocks in voting district (001420), tract 0529.07, block group 2, in Johnson county: block 003; and the following blocks in voting district (001420), tract 0529.07, block group 3, in Johnson county: block 000, block 001, block 002, block 005, block 006, block 007, block 008, block 009, block 010; and the following blocks in voting district (001420), tract 0529.07, block group 4, in Johnson county: block 000, block 001, block 002, block 003, block 004; and the following blocks in voting district (001450), tract 0529.07, block group 2, in Johnson county: block 000, block 001, block 002, block 004, block 007, block 008; and the following blocks in voting district (00147A), tract 0529.08, block group 4, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008; and the following blocks in voting district (001480), tract 0529.08, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009; and the following blocks in voting district (001480), tract 0529.08, block group 3, in Johnson county: block 005, block 006, block 013; and the following voting districts in Johnson county: (001520), (900380), (900400), (900410); and the following blocks in voting district (900460), tract 0529.10, block group 1, in Johnson county: block 000; and the following blocks in voting district (900460), tract 9800.01, block group 1, in Johnson county: block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 015, block 016, block 017, block 018, block 019, block 020, block 027, block 028, block 029, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 047, block 052, block 053, block 054, block 055, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069; and the following voting districts in Johnson county: (900470), (901430), (901700); and the following blocks in voting district (920250), tract 0529.07, block group 2, in Johnson county: block 009, block 010, block 011, block 012, block 015, block 016, block 017; and the following voting districts in Johnson county: (920550), (920650), (920660), (920900), (920910), (920920); and the following blocks in voting district (921050), tract 0526.09, block group 3, in Johnson county: block 000, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 016, block 018, block 019, block 030, block 031, block 035.

Sec. 79. Representative district 31 shall consist of the following blocks in voting district (600320), tract 0430.00, block group 1, in Wyandotte county: block 003, block 004, block 005, block 006, block 023, block 030, block 031, block 032; and the following blocks in voting district (600320), tract 0430.00, block group 3, in Wyandotte county: block 000, block

001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 012, block 016, block 017, block 018, block 019, block 020; and the following blocks in voting district (600320), tract 0430.00, block group 4, in Wyandotte county: block 000, block 001, block 002; and the following blocks in voting district (600320), tract 0451.00, block group 2, in Wyandotte county: block 000, block 001, block 005, block 006, block 007; and the following blocks in voting district (600330), tract 0430.00, block group 1, in Wyandotte county: block 007, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 024, block 025, block 026, block 027, block 028, block 029, block 033, block 034, block 035; and the following blocks in voting district (600340), tract 0428.00, block group 1, in Wyandotte county: block 001, block 002, block 003, block 004, block 005, block 010; and the following blocks in voting district (600340), tract 0428.00, block group 2, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024; and the following voting districts in Wyandotte county: (600360), (600370), (600380); and the following blocks in voting district (600390), tract 0427.00, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031; and the following blocks in voting district (600390), tract 0427.00, block group 2, in Wyandotte county: block 001, block 002, block 003, block 008, block 011, block 012, block 013, block 018; and the following voting districts in Wyandotte county: (600410), (600420), (600430), (600440), (600770), (600780), (600790), (600800); and the following blocks in voting district (600810), tract 0435.00, block group 1, in Wyandotte county: block 006, block 009; and the following blocks in voting district (600810), tract 0435.00, block group 2, in Wyandotte county: block 002, block 003, block 004, block 005, block 006, block 007, block 009, block 010, block 011, block 012, block 013, block 016, block 017.

Sec. 80. Representative district 32 shall consist of the following blocks in voting district (600110), tract 0419.00, block group 1, in Wyandotte county: block 000, block 005, block 006; and the following blocks in voting district (600110), tract 0419.00, block group 2, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 016, block 017, block 018; and the following blocks in voting district (600110), tract 0429.00, block group 5, in Wyandotte county: block 001, block 012; and

the following blocks in voting district (600110), tract 9805.00, block group 1, in Wyandotte county: block 004, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 037; and the following blocks in voting district (600110), tract 9809.00, block group 1, in Wyandotte county: block 000, block 001, block 002, block 006, block 007, block 067; and the following voting districts in Wyandotte county: (600210), (600220), (600230), (600240), (600250), (600260), (600270), (600280), (600290), (600450), (600460), (600470); and the following blocks in voting district (600480), tract 0415.00, block group 1, in Wyandotte county: block 005; and the following blocks in voting district (600480), tract 0415.00, block group 2, in Wyandotte county: block 017.

Sec. 81. Representative district 33 shall consist of the following voting districts in Wyandotte county: (120100), (140020), (140030), (600010), (600020), (600030), (600040), (600060); and the following blocks in voting district (600510), tract 0440.02, block group 2, in Wyandotte county: block 000, block 001, block 002; and the following blocks in voting district (600550), tract 0447.04, block group 2, in Wyandotte county: block 002, block 003, block 004, block 005, block 006, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (600570), tract 0440.02, block group 2, in Wyandotte county: block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 023; and the following blocks in voting district (600580), tract 0440.02, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020; and the following blocks in voting district (600580), tract 0440.02, block group 2, in Wyandotte county: block 019, block 020, block 021, block 022; and the following blocks in voting district (600580), tract 0440.02, block group 3, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 010, block 011; and the following voting districts in Wyandotte county: (600760); and the following blocks in voting district (600810), tract 0436.00, block group 4, in Wyandotte county: block 000, block 008, block 009, block 010, block 012, block 013, block 014, block 015; and the following voting districts in Wyandotte county: (600830); and the following blocks in voting district (600840), tract 0436.00, block group 1, in Wyandotte county: block 006, block 018, block 020, block 021, block 022, block 023, block 024, block 025; and the following blocks in voting district (600840), tract 0436.00,

block group 2, in Wyandotte county: block 015, block 017, block 018; and the following blocks in voting district (600840), tract 0436.00, block group 5, in Wyandotte county: block 004, block 005, block 006, block 012, block 013, block 014, block 015; and the following blocks in voting district (600850), tract 0436.00, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 019; and the following blocks in voting district (600860), tract 0438.02, block group 1, in Wyandotte county: block 004; and the following blocks in voting district (600860), tract 0438.02, block group 2, in Wyandotte county: block 012, block 013, block 014; and the following blocks in voting district (600860), tract 0438.02, block group 3, in Wyandotte county: block 006, block 007, block 008, block 009, block 010; and the following voting districts in Wyandotte county: (601110).

Sec. 82. Representative district 34 shall consist of the following blocks in voting district (600140), tract 0411.00, block group 1, in Wyandotte county: block 003; and the following blocks in voting district (600140), tract 0414.00, block group 1, in Wyandotte county: block 037; and the following voting districts in Wyandotte county: (600150); and the following blocks in voting district (600160), tract 0411.00, block group 1, in Wyandotte county: block 004, block 006, block 007, block 008, block 009, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 026, block 027, block 028; and the following blocks in voting district (600160), tract 0412.00, block group 2, in Wyandotte county: block 011, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021; and the following blocks in voting district (600160), tract 0429.00, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 013, block 014, block 015; and the following blocks in voting district (600160), tract 0429.00, block group 4, in Wyandotte county: block 000, block 001, block 002, block 006, block 007; and the following blocks in voting district (600200), tract 0407.00, block group 2, in Wyandotte county: block 022; and the following blocks in voting district (600200), tract 0411.00, block group 1, in Wyandotte county: block 005; and the following blocks in voting district (600200), tract 0412.00, block group 1, in Wyandotte county: block 000, block 001, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035; and the following blocks in voting district (600200), tract 0412.00, block group 2, in Wyandotte county: block 000, block 001, block

002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 012; and the following blocks in voting district (600200), tract 0429.00, block group 1, in Wyandotte county: block 005, block 006, block 016, block 017; and the following blocks in voting district (600500), tract 0441.01, block group 1, in Wyandotte county: block 002; and the following blocks in voting district (600600), tract 0413.00, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 014; and the following blocks in voting district (600600), tract 0413.00, block group 2, in Wyandotte county: block 000, block 003, block 004, block 014, block 015, block 016, block 018, block 019, block 020, block 024, block 025, block 026, block 027, block 028; and the following blocks in voting district (600600), tract 0413.00, block group 3, in Wyandotte county: block 000; and the following voting districts in Wyandotte county: (600620), (600630), (600650); and the following blocks in voting district (600660), tract 0405.00, block group 2, in Wyandotte county: block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012; and the following blocks in voting district (600660), tract 0444.00, block group 3, in Wyandotte county: block 000, block 001, block 002, block 003, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016; and the following voting districts in Wyandotte county: (600670), (600680), (600690), (600700); and the following blocks in voting district (600710), tract 0441.04, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010; and the following blocks in voting district (600710), tract 0441.04, block group 3, in Wyandotte county: block 000; and the following blocks in voting district (600720), tract 0441.04, block group 3, in Wyandotte county: block 001, block 004, block 005; and the following blocks in voting district (600890), tract 0444.00, block group 3, in Wyandotte county: block 004, block 005, block 006; and the following blocks in voting district (600900), tract 0443.03, block group 1, in Wyandotte county: block 000.

Sec. 83. Representative district 35 shall consist of the following voting districts in Wyandotte county: (600090), (600100); and the following blocks in voting district (600110), tract 9805.00, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 005, block 017, block 018; and the following voting districts in Wyandotte county: (600120), (600130); and the following blocks in voting district (600140), tract 0414.00, block group 1, in Wyandotte county: block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 020, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036; and the following blocks in voting dis-

trict (600160), tract 0414.00, block group 3, in Wyandotte county: block 026, block 027; and the following voting districts in Wyandotte county: (600170), (600180), (600190); and the following blocks in voting district (600200), tract 0407.00, block group 2, in Wyandotte county: block 017, block 020, block 021; and the following blocks in voting district (600200), tract 0414.00, block group 3, in Wyandotte county: block 012, block 023, block 024, block 025; and the following voting districts in Wyandotte county: (600590); and the following blocks in voting district (600600), tract 0401.00, block group 2, in Wyandotte county: block 004, block 005, block 006, block 007, block 008, block 009; and the following blocks in voting district (600600), tract 0406.00, block group 2, in Wyandotte county: block 010, block 012, block 014, block 015, block 016, block 019, block 020; and the following blocks in voting district (600600), tract 0406.00, block group 3, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 008, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019; and the following voting districts in Wyandotte county: (600610), (600640); and the following blocks in voting district (600660), tract 0444.00, block group 2, in Wyandotte county: block 006; and the following voting districts in Wyandotte county: (600870), (600880); and the following blocks in voting district (600890), tract 0443.02, block group 1, in Wyandotte county: block 000, block 006; and the following blocks in voting district (600890), tract 0444.00, block group 1, in Wyandotte county: block 004, block 005, block 006, block 007; and the following blocks in voting district (600900), tract 0443.03, block group 1, in Wyandotte county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009; and the following blocks in voting district (600900), tract 0443.03, block group 2, in Wyandotte county: block 000, block 015, block 016; and the following blocks in voting district (600910), tract 0443.01, block group 3, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008; and the following blocks in voting district (600910), tract 0443.02, block group 1, in Wyandotte county: block 001, block 002, block 003, block 004, block 005; and the following blocks in voting district (600910), tract 0443.02, block group 2, in Wyandotte county: block 000; and the following blocks in voting district (600920), tract 0443.01, block group 2, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011; and the following voting districts in Wyandotte county: (600940), (600950), (600970), (600980).

Sec. 84. Representative district 36 shall consist of the following voting districts in Wyandotte county: (140090); and the following blocks in voting district (600710), tract 0441.04, block group 2, in Wyandotte county:

block 000, block 003; and the following blocks in voting district (600720), tract 0441.04, block group 2, in Wyandotte county: block 001, block 002, block 004, block 005, block 006; and the following blocks in voting district (600720), tract 0441.04, block group 3, in Wyandotte county: block 002, block 003; and the following blocks in voting district (600730), tract 0441.03, block group 2, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007; and the following blocks in voting district (600730), tract 0441.03, block group 3, in Wyandotte county: block 000, block 001, block 002, block 010, block 011, block 016; and the following blocks in voting district (600740), tract 0441.03, block group 3, in Wyandotte county: block 003, block 004, block 005, block 007; and the following blocks in voting district (600910), tract 0446.01, block group 2, in Wyandotte county: block 003; and the following blocks in voting district (600920), tract 0446.01, block group 1, in Wyandotte county: block 000; and the following blocks in voting district (600920), tract 0446.01, block group 2, in Wyandotte county: block 000, block 001; and the following voting districts in Wyandotte county: (600930), (600960), (600990), (601000), (601010), (601020); and the following blocks in voting district (601030), tract 0442.01, block group 1, in Wyandotte county: block 000, block 001, block 002; and the following blocks in voting district (601030), tract 0446.01, block group 3, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021; and the following blocks in voting district (601030), tract 0446.01, block group 4, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 011, block 012, block 013, block 014, block 015; and the following blocks in voting district (601030), tract 0446.02, block group 1, in Wyandotte county: block 007, block 008, block 013, block 014, block 015, block 017; and the following blocks in voting district (601030), tract 0448.04, block group 1, in Wyandotte county: block 001, block 002; and the following voting districts in Wyandotte county: (601050), (601060), (601070), (601080), (601090); and the following blocks in voting district (601100), tract 0448.03, block group 2, in Wyandotte county: block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022.

Sec. 85. Representative district 37 shall consist of the following blocks in voting district (600110), tract 9805.00, block group 1, in Wyandotte county: block 035, block 036; and the following voting districts in Wyandotte county: (600300), (600310); and the following blocks in voting district (600320), tract 0430.00, block group 1, in Wyandotte county: block 000, block 001, block 002; and the following blocks in voting district (600320),

tract 9809.00, block group 1, in Wyandotte county: block 030, block 031, block 032, block 033, block 034, block 035; and the following blocks in voting district (600330), tract 0430.00, block group 1, in Wyandotte county: block 008, block 009, block 010; and the following blocks in voting district (600340), tract 0428.00, block group 1, in Wyandotte county: block 000; and the following voting districts in Wyandotte county: (600350); and the following blocks in voting district (600390), tract 0437.00, block group 1, in Wyandotte county: block 003, block 004, block 005, block 006, block 007, block 018; and the following blocks in voting district (600390), tract 0437.00, block group 2, in Wyandotte county: block 000, block 001, block 002, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 016, block 017, block 020; and the following blocks in voting district (600390), tract 9815.00, block group 1, in Wyandotte county: block 044, block 051; and the following voting districts in Wyandotte county: (600400); and the following blocks in voting district (600480), tract 0415.00, block group 2, in Wyandotte county: block 018; and the following blocks in voting district (600480), tract 0439.05, block group 2, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 024, block 027, block 028, block 029, block 030; and the following voting districts in Wyandotte county: (600490); and the following blocks in voting district (600500), tract 0439.05, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 005, block 006, block 007, block 008, block 009; and the following blocks in voting district (600500), tract 0439.05, block group 2, in Wyandotte county: block 008, block 009, block 010, block 011, block 012, block 036, block 037; and the following blocks in voting district (600500), tract 0441.01, block group 1, in Wyandotte county: block 000, block 001, block 003; and the following blocks in voting district (600510), tract 0439.05, block group 1, in Wyandotte county: block 004, block 010, block 011, block 012, block 013; and the following blocks in voting district (600510), tract 0440.01, block group 3, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010; and the following blocks in voting district (600510), tract 0440.02, block group 4, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following voting districts in Wyandotte county: (600520), (600530), (600540); and the following blocks in voting district (600550), tract 0440.01, block group 1, in Wyandotte county: block 001, block 002; and the following blocks in voting district (600550), tract 0441.02, block

group 1, in Wyandotte county: block 011; and the following blocks in voting district (600550), tract 0441.02, block group 2, in Wyandotte county: block 003, block 004, block 005, block 008, block 009, block 012, block 013, block 014, block 015, block 016, block 025, block 026, block 027; and the following blocks in voting district (600550), tract 0447.04, block group 2, in Wyandotte county: block 007, block 008, block 009, block 010, block 011; and the following voting districts in Wyandotte county: (600560); and the following blocks in voting district (600570), tract 0440.01, block group 2, in Wyandotte county: block 009, block 017, block 018, block 019; and the following blocks in voting district (600580), tract 0440.01, block group 1, in Wyandotte county: block 013; and the following blocks in voting district (600580), tract 0440.02, block group 3, in Wyandotte county: block 007; and the following blocks in voting district (600730), tract 0441.03, block group 3, in Wyandotte county: block 006, block 008, block 009, block 017, block 018, block 019; and the following blocks in voting district (600740), tract 0441.03, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013; and the following blocks in voting district (600740), tract 0441.03, block group 3, in Wyandotte county: block 012, block 013, block 014, block 015, block 020, block 021; and the following voting districts in Wyandotte county: (600750); and the following blocks in voting district (600810), tract 0436.00, block group 4, in Wyandotte county: block 001, block 007; and the following voting districts in Wyandotte county: (600820); and the following blocks in voting district (600840), tract 0436.00, block group 2, in Wyandotte county: block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 016; and the following blocks in voting district (600850), tract 0438.03, block group 2, in Wyandotte county: block 002, block 003, block 005; and the following blocks in voting district (600860), tract 0438.02, block group 2, in Wyandotte county: block 000, block 001, block 002, block 005, block 006, block 007; and the following blocks in voting district (600860), tract 0438.02, block group 3, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005; and the following blocks in voting district (600860), tract 0440.02, block group 3, in Wyandotte county: block 008, block 009; and the following voting districts in Wyandotte county: (601120).

Sec. 86. Representative district 38 shall consist of the following voting districts in Leavenworth county: (000020), (000030), (000050); and the following blocks in voting district (000060), tract 0710.00, block group 1, in Leavenworth county: block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 050, block 052, block 053, block 054, block 092, block 093, block 094, block 095, block 096; and the following blocks in voting district (000060), tract

0710.00, block group 2, in Leavenworth county: block 011, block 012, block 013, block 018, block 019, block 022, block 023, block 024, block 036, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049; and the following blocks in voting district (000060), tract 0710.00, block group 3, in Leavenworth county: block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 025, block 026; and the following blocks in voting district (000230), tract 0704.00, block group 2, in Leavenworth county: block 019, block 020, block 021, block 023, block 024; and the following blocks in voting district (000230), tract 0705.00, block group 1, in Leavenworth county: block 002, block 003, block 004, block 013; and the following blocks in voting district (000230), tract 0707.00, block group 2, in Leavenworth county: block 014; and the following blocks in voting district (000250), tract 0707.00, block group 2, in Leavenworth county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012; and the following voting districts in Leavenworth county: (000260); and the following blocks in voting district (00029A), tract 0707.00, block group 1, in Leavenworth county: block 010, block 011, block 012, block 014, block 015; and the following blocks in voting district (00029A), tract 0707.00, block group 4, in Leavenworth county: block 003, block 004, block 005; and the following blocks in voting district (00029A), tract 0710.00, block group 2, in Leavenworth county: block 015, block 016, block 020, block 021, block 025, block 026, block 027, block 028, block 029, block 031, block 032, block 033, block 035, block 037, block 051; and the following blocks in voting district (00029A), tract 0711.03, block group 1, in Leavenworth county: block 008; and the following blocks in voting district (000320), tract 0714.00, block group 1, in Leavenworth county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 026, block 027, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066; and the following blocks in voting district (000320), tract 0714.00, block group 2, in Leavenworth county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 022,

block 029, block 032, block 040, block 043, block 056, block 057, block 059, block 060, block 061, block 071, block 072; and the following blocks in voting district (000320), tract 0718.00, block group 5, in Leavenworth county: block 039; and the following blocks in voting district (000350), tract 0712.05, block group 2, in Leavenworth county: block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 014, block 015, block 016, block 018; and the following blocks in voting district (000350), tract 0712.05, block group 3, in Leavenworth county: block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 025, block 026, block 027, block 028, block 029, block 030, block 034, block 035, block 036, block 037, block 038, block 039, block 041; and the following blocks in voting district (000350), tract 0716.00, block group 2, in Leavenworth county: block 000, block 033; and the following blocks in voting district (000390), tract 0712.02, block group 2, in Leavenworth county: block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029; and the following blocks in voting district (000390), tract 0712.02, block group 3, in Leavenworth county: block 011, block 012, block 013, block 021, block 022, block 023, block 024, block 026, block 027; and the following blocks in voting district (000390), tract 0718.00, block group 5, in Leavenworth county: block 033; and the following blocks in voting district (120120), tract 0711.02, block group 3, in Leavenworth county: block 031; and the following voting districts in Leavenworth county: (170040), (170050), (170060), (170070), (170080), (170090), (170100), (170210), (170220), (900010), (900030), (900060); and the following blocks in voting district (601030), tract 0446.02, block group 1, in Wyandotte county: block 006, block 009, block 016; and the following blocks in voting district (601030), tract 0448.04, block group 1, in Wyandotte county: block 000; and the following voting districts in Wyandotte county: (601040); and the following blocks in voting district (601100), tract 0448.03, block group 2, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011; and the following blocks in voting district (601100), tract 0448.03, block group 3, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005.

Sec. 87. Representative district 39 shall consist of the following voting districts in Johnson county: (000190); and the following blocks in voting district (002790), tract 0523.06, block group 2, in Johnson county: block 000, block 011; and the following blocks in voting district (002800), tract

0523.06, block group 2, in Johnson county: block 001; and the following voting districts in Johnson county: (002810), (002820); and the following blocks in voting district (002940), tract 0523.07, block group 1, in Johnson county: block 007; and the following blocks in voting district (002940), tract 0525.02, block group 1, in Johnson county: block 024, block 025, block 026; and the following voting districts in Johnson county: (002960), (002980), (003000); and the following blocks in voting district (003010), tract 0526.06, block group 1, in Johnson county: block 000; and the following blocks in voting district (003010), tract 0526.07, block group 2, in Johnson county: block 014; and the following blocks in voting district (003010), tract 0526.12, block group 2, in Johnson county: block 009, block 011; and the following blocks in voting district (003010), tract 0526.13, block group 3, in Johnson county: block 000, block 001, block 002, block 005, block 006, block 007, block 008, block 011, block 012, block 013; and the following voting districts in Johnson county: (003020), (900030), (901330), (901340), (901360); and the following blocks in voting district (901370), tract 0526.07, block group 1, in Johnson county: block 000, block 001, block 002; and the following blocks in voting district (901370), tract 0526.07, block group 2, in Johnson county: block 000, block 001, block 002, block 005; and the following voting districts in Johnson county: (901380); and the following blocks in voting district (920510), tract 0523.07, block group 3, in Johnson county: block 000; and the following blocks in voting district (920510), tract 0523.08, block group 3, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014; and the following voting districts in Johnson county: (920600); and the following blocks in voting district (921040), tract 0526.04, block group 1, in Johnson county: block 000, block 001, block 006; and the following blocks in voting district (921040), tract 0526.06, block group 1, in Johnson county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016; and the following blocks in voting district (921040), tract 0526.13, block group 2, in Johnson county: block 003.

Sec. 88. Representative district 40 shall consist of the following blocks in voting district (000060), tract 0710.00, block group 3, in Leavenworth county: block 003, block 006, block 021, block 022, block 023, block 024, block 027, block 028, block 029; and the following blocks in voting district (000060), tract 0711.03, block group 1, in Leavenworth county: block 026; and the following voting districts in Leavenworth county: (000080), (000090), (000100), (000110); and the following blocks in voting district (000140), tract 0704.00, block group 3, in Leavenworth county: block 000, block 013, block 014, block 015, block 016, block 027, block 028, block 029,

block 030, block 031; and the following blocks in voting district (000140), tract 0704.00, block group 4, in Leavenworth county: block 009, block 010, block 011, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030; and the following blocks in voting district (000140), tract 0705.00, block group 3, in Leavenworth county: block 002; and the following voting districts in Leavenworth county: (000150); and the following blocks in voting district (000230), tract 0704.00, block group 3, in Leavenworth county: block 032, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044; and the following blocks in voting district (000230), tract 0705.00, block group 1, in Leavenworth county: block 000, block 001, block 005, block 006, block 007, block 008, block 009, block 014; and the following blocks in voting district (000230), tract 0705.00, block group 2, in Leavenworth county: block 008, block 009, block 010, block 011, block 012, block 015, block 024; and the following voting districts in Leavenworth county: (000240), (00027A), (000280); and the following blocks in voting district (00029A), tract 0707.00, block group 4, in Leavenworth county: block 006, block 007, block 008, block 009, block 010; and the following blocks in voting district (00029A), tract 0711.03, block group 1, in Leavenworth county: block 002, block 003, block 004, block 005, block 006, block 007, block 009, block 010, block 020, block 021, block 022, block 023, block 024, block 025, block 027, block 028; and the following blocks in voting district (00029A), tract 0711.05, block group 4, in Leavenworth county: block 002, block 004, block 005; and the following blocks in voting district (000340), tract 0705.00, block group 3, in Leavenworth county: block 005; and the following blocks in voting district (000340), tract 0711.02, block group 1, in Leavenworth county: block 000, block 008, block 009, block 010, block 011, block 012, block 013, block 015; and the following blocks in voting district (000340), tract 0711.02, block group 2, in Leavenworth county: block 000, block 001, block 002, block 003; and the following voting districts in Leavenworth county: (120100), (120110); and the following blocks in voting district (120120), tract 0711.04, block group 1, in Leavenworth county: block 036, block 037; and the following voting districts in Leavenworth county: (120130), (170130), (170140), (170150), (170160), (170170), (170190), (170200), (170240), (170250).

Sec. 89. Representative district 41 shall consist of the following blocks in voting district (000060), tract 0710.00, block group 2, in Leavenworth county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 014, block 050; and the following blocks in voting district (000070), tract 0709.00, block group 1, in Leavenworth county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block

009, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 084, block 085, block 086, block 087, block 088; and the following voting districts in Leavenworth county: (000120), (000130); and the following blocks in voting district (000140), tract 0704.00, block group 3, in Leavenworth county: block 001, block 012, block 017, block 026, block 036; and the following voting districts in Leavenworth county: (000160), (00017A), (00017B), (000180), (00019A), (00019B), (000200), (000210), (000220); and the following blocks in voting district (000250), tract 0703.00, block group 1, in Leavenworth county: block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037; and the following voting districts in Leavenworth county: (000300); and the following blocks in voting district (000340), tract 0701.00, block group 1, in Leavenworth county: block 000, block 041; and the following blocks in voting district (000340), tract 0704.00, block group 4, in Leavenworth county: block 000; and the following voting districts in Leavenworth county: (120060).

Sec. 90. Representative district 42 shall consist of the following voting districts in Douglas county: (000020); and the following blocks in voting district (000450), tract 0010.02, block group 2, in Douglas county: block 001, block 002, block 004, block 006, block 008, block 009, block 013, block 014, block 016, block 017, block 029; and the following voting districts in Douglas county: (000600), (120020), (120030); and the following blocks in voting district (120050), tract 0001.00, block group 2, in Douglas county: block 051; and the following blocks in voting district (120060), tract 0001.00, block group 2, in Douglas county: block 052, block 053, block 054, block 060, block 065, block 082; and the following blocks in voting district (120060), tract 0001.00, block group 3, in Douglas county: block 000, block 001, block 002, block 004, block 005, block 006; and the following blocks in voting district (120380), tract 0012.01, block group 1, in Douglas county: block 017; and the following blocks in

voting district (160770), tract 0002.01, block group 2, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 012, block 013, block 014, block 022, block 024; and the following blocks in voting district (160770), tract 0010.02, block group 2, in Douglas county: block 005; and the following blocks in voting district (160770), tract 0012.01, block group 1, in Douglas county: block 011, block 021; and the following voting districts in Douglas county: (180520), (18052A), (18052B), (18052C); and the following blocks in voting district (180530), tract 0012.02, block group 2, in Douglas county: block 047; and the following blocks in voting district (200010), tract 0002.01, block group 2, in Douglas county: block 025; and the following blocks in voting district (200010), tract 0010.02, block group 2, in Douglas county: block 000, block 010, block 011, block 022, block 023, block 028, block 060; and the following blocks in voting district (200010), tract 0012.01, block group 1, in Douglas county: block 012, block 018, block 019, block 020, block 023, block 024; and the following voting districts in Douglas county: (200020), (400050), (400090), (900100), (900130), (900140); and the following blocks in voting district (000110), tract 0203.00, block group 4, in Jefferson county: block 013, block 014, block 016, block 017, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055; and the following blocks in voting district (000120), tract 0203.00, block group 2, in Jefferson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072; and the following blocks in voting district (000120), tract 0203.00, block group 4, in Jefferson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 015, block 018, block 019, block 020, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045; and the following voting districts in Leavenworth county: (000010), (000040); and the following blocks in voting

district (000060), tract 0710.00, block group 1, in Leavenworth county: block 000, block 017, block 018, block 029, block 040, block 048, block 049, block 051, block 055, block 056, block 057; and the following blocks in voting district (000070), tract 0709.00, block group 1, in Leavenworth county: block 010, block 011, block 028; and the following blocks in voting district (000070), tract 0709.00, block group 2, in Leavenworth county: block 016, block 017, block 018, block 019, block 037, block 038, block 039, block 078, block 079, block 086; and the following voting districts in Leavenworth county: (000310); and the following blocks in voting district (000320), tract 0714.00, block group 1, in Leavenworth county: block 024, block 025, block 028; and the following blocks in voting district (000320), tract 0714.00, block group 2, in Leavenworth county: block 033, block 034, block 035, block 037, block 067, block 068; and the following blocks in voting district (000320), tract 0714.00, block group 3, in Leavenworth county: block 016; and the following blocks in voting district (000320), tract 0718.00, block group 5, in Leavenworth county: block 038; and the following blocks in voting district (000350), tract 0716.00, block group 2, in Leavenworth county: block 001, block 002, block 007, block 008, block 009, block 010, block 012, block 013, block 014, block 015, block 016, block 028, block 029, block 030, block 031, block 032, block 064, block 065, block 067; and the following blocks in voting district (000350), tract 0718.00, block group 5, in Leavenworth county: block 000, block 001, block 005, block 006, block 019, block 023; and the following voting districts in Leavenworth county: (000360), (000370), (000380); and the following blocks in voting district (000390), tract 0718.00, block group 4, in Leavenworth county: block 000, block 010; and the following blocks in voting district (000390), tract 0718.00, block group 5, in Leavenworth county: block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 032, block 034, block 035, block 036, block 037; and the following voting districts in Leavenworth county: (120080), (170010), (170020), (170030), (170110), (170120), (170180), (170230), (900080).

Sec. 91. Representative district 43 shall consist of the following blocks in voting district (000620), tract 0012.03, block group 2, in Douglas county: block 016, block 017, block 020, block 021, block 022, block 023, block 027, block 028, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 064, block 065, block 071; and the following blocks in voting district (000660), tract 0012.03, block group 2, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 010, block 011, block 012, block 013, block 014, block 015, block 018, block 019, block 024, block 025, block 026; and the following blocks in voting district (000090), tract 0537.01, block group 2, in Johnson county: block 097; and the following voting districts in Johnson county: (00014A), (00014C); and the following blocks in voting dis-

trict (000160), tract 0537.05, block group 1, in Johnson county: block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010; and the following voting districts in Johnson county: (100040), (12003B), (190020), (190030); and the following blocks in voting district (900090), tract 0537.09, block group 3, in Johnson county: block 000, block 001, block 002, block 003, block 005, block 006, block 007, block 008, block 010, block 011, block 012, block 015, block 016, block 017, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 028, block 032; and the following blocks in voting district (900090), tract 0537.11, block group 3, in Johnson county: block 032, block 036, block 037, block 052; and the following voting districts in Johnson county: (900100), (900110), (900120); and the following blocks in voting district (900130), tract 0537.12, block group 1, in Johnson county: block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010; and the following blocks in voting district (900130), tract 0537.12, block group 4, in Johnson county: block 031, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045; and the following voting districts in Johnson county: (900150), (900160), (900170), (900180); and the following blocks in voting district (901730), tract 0537.07, block group 3, in Johnson county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 013, block 014, block 018, block 019; and the following blocks in voting district (901730), tract 0537.11, block group 2, in Johnson county: block 029, block 033, block 034; and the following voting districts in Johnson county: (901750); and the following blocks in voting district (901810), tract 0537.11, block group 2, in Johnson county: block 000; and the following voting districts in Johnson county: (901820); and the following blocks in voting district (901830), tract 0537.05, block group 1, in Johnson county: block 011; and the following blocks in voting district (901830), tract 0537.12, block group 1, in Johnson county: block 000, block 001, block 011; and the following blocks in voting district (901830), tract 0537.12, block group 3, in Johnson county: block 011; and the following blocks in voting district (901830), tract 0537.12, block group 4, in Johnson county: block 022, block 023, block 032; and the following voting districts in Johnson county: (901900); and the following blocks in voting district (901950), tract 0537.11, block group 3, in Johnson county: block 007, block 008, block 009, block 010, block 011, block 012, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 024, block 025, block 026, block 027, block 031, block 039, block 040, block 042, block 045, block 047; and the following voting districts in Johnson county: (920390), (920410), (920420), (92043A); and the following blocks in voting district (920450), tract 0537.01, block group 2, in Johnson county: block 025, block 026, block 027, block 034,

block 035, block 039, block 042, block 043, block 045, block 046, block 047, block 052, block 053, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064; and the following blocks in voting district (920460), tract 0537.01, block group 2, in Johnson county: block 009, block 010, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 028, block 029, block 030, block 031, block 032, block 033; and the following blocks in voting district (920460), tract 0537.11, block group 3, in Johnson county: block 035; and the following voting districts in Johnson county: (920470), (920530), (920680), (920690); and the following blocks in voting district (920750), tract 0537.11, block group 2, in Johnson county: block 027; and the following blocks in voting district (920760), tract 0537.07, block group 3, in Johnson county: block 000; and the following blocks in voting district (920760), tract 0537.11, block group 2, in Johnson county: block 001, block 003, block 004, block 006, block 007, block 008, block 009, block 010, block 011, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 028; and the following blocks in voting district (920760), tract 0537.11, block group 3, in Johnson county: block 028, block 050; and the following blocks in voting district (920790), tract 0537.01, block group 2, in Johnson county: block 036, block 037, block 040, block 041, block 044, block 048, block 049, block 050; and the following blocks in voting district (920790), tract 0537.09, block group 1, in Johnson county: block 026; and the following blocks in voting district (920790), tract 0537.09, block group 3, in Johnson county: block 035; and the following blocks in voting district (920790), tract 0537.12, block group 2, in Johnson county: block 002; and the following blocks in voting district (920790), tract 0537.12, block group 3, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 008, block 009, block 010, block 012; and the following blocks in voting district (920790), tract 0537.12, block group 4, in Johnson county: block 060; and the following voting districts in Johnson county: (921070).

Sec. 92. Representative district 44 shall consist of the following blocks in voting district (000110), tract 0006.04, block group 3, in Douglas county: block 000, block 001, block 003, block 004, block 005, block 007, block 009, block 011, block 012, block 014, block 020; and the following blocks in voting district (000170), tract 0007.04, block group 2, in Douglas county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027; and the following voting districts in Douglas county: (000180); and

the following blocks in voting district (000200), tract 0008.02, block group 3, in Douglas county: block 000, block 001, block 002; and the following voting districts in Douglas county: (000210), (000220); and the following blocks in voting district (000230), tract 0008.01, block group 1, in Douglas county: block 033; and the following blocks in voting district (000230), tract 0008.02, block group 1, in Douglas county: block 007, block 008, block 011, block 012, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (000230), tract 0008.02, block group 3, in Douglas county: block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014; and the following voting districts in Douglas county: (000240), (000250), (000280), (000290), (000300), (120270); and the following blocks in voting district (120300), tract 0008.01, block group 1, in Douglas county: block 027, block 028; and the following blocks in voting district (120300), tract 0008.01, block group 2, in Douglas county: block 004, block 005, block 009; and the following blocks in voting district (120300), tract 0008.01, block group 4, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007; and the following blocks in voting district (120420), tract 0008.01, block group 1, in Douglas county: block 029, block 030; and the following blocks in voting district (120420), tract 0008.01, block group 2, in Douglas county: block 006, block 008; and the following voting districts in Douglas county: (400030), (400040).

Sec. 93. Representative district 45 shall consist of the following blocks in voting district (000110), tract 0006.04, block group 3, in Douglas county: block 002, block 006, block 008, block 010, block 013, block 021, block 023, block 027, block 034, block 035, block 042; and the following voting districts in Douglas county: (00012A), (000190), (000260), (00048B), (00048D), (00050A), (00050C), (00052A); and the following blocks in voting district (000560), tract 0006.02, block group 1, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 014, block 015; and the following blocks in voting district (000560), tract 0006.02, block group 3, in Douglas county: block 011, block 012, block 013, block 014, block 015, block 016; and the following voting districts in Douglas county: (120040); and the following blocks in voting district (120050), tract 0001.00, block group 2, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 006, block 007, block 008, block 009, block 010, block 011, block 020, block 021, block 022, block 023, block 024, block 035, block 036, block 039, block 042, block 043, block 044, block 046, block 047, block 048, block 049, block 050, block 055, block 068; and the following blocks in voting district (120060), tract 0001.00, block group 2, in Douglas county: block 045; and the following blocks in voting district (120070),

tract 0006.02, block group 3, in Douglas county: block 018; and the following blocks in voting district (120080), tract 0006.03, block group 3, in Douglas county: block 001, block 002, block 025, block 026, block 027, block 028, block 042, block 051; and the following blocks in voting district (120080), tract 0015.00, block group 1, in Douglas county: block 079; and the following voting districts in Douglas county: (120210), (120230), (120250), (120280); and the following blocks in voting district (120300), tract 0008.01, block group 1, in Douglas county: block 000, block 001, block 002, block 018, block 020, block 021, block 022, block 023, block 024, block 025; and the following blocks in voting district (120300), tract 0008.01, block group 2, in Douglas county: block 000, block 001, block 002, block 003; and the following voting districts in Douglas county: (120320), (120350); and the following blocks in voting district (120420), tract 0008.01, block group 1, in Douglas county: block 019, block 031; and the following voting districts in Douglas county: (160780), (18064A), (190050), (190060), (190070), (400080), (900040), (900050), (900060), (900070), (900080), (900090), (900170).

Sec. 94. Representative district 46 shall consist of the following voting districts in Douglas county: (00007A), (000080), (000090), (00010A); and the following blocks in voting district (000110), tract 0005.01, block group 2, in Douglas county: block 028, block 029; and the following voting districts in Douglas county: (000130), (000140), (000150), (000160); and the following blocks in voting district (000170), tract 0007.04, block group 2, in Douglas county: block 000; and the following voting districts in Douglas county: (000270); and the following blocks in voting district (000310), tract 0003.01, block group 3, in Douglas county: block 015, block 016, block 017, block 018, block 019; and the following blocks in voting district (000310), tract 0003.02, block group 3, in Douglas county: block 000, block 001, block 002; and the following blocks in voting district (000310), tract 0004.00, block group 1, in Douglas county: block 003, block 004, block 005, block 006, block 014; and the following blocks in voting district (000320), tract 0003.02, block group 2, in Douglas county: block 001, block 002, block 003, block 004, block 005, block 012, block 013, block 014, block 015, block 016, block 017; and the following blocks in voting district (000320), tract 0004.00, block group 1, in Douglas county: block 009, block 010, block 011; and the following blocks in voting district (000400), tract 0002.02, block group 2, in Douglas county: block 003, block 011, block 012, block 013, block 014, block 015, block 016; and the following voting districts in Douglas county: (000460), (000470); and the following blocks in voting district (120130), tract 0002.01, block group 1, in Douglas county: block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 016, block 017, block 019, block 021, block 022, block 023, block 024, block 025, block 026;

and the following blocks in voting district (120130), tract 0002.02, block group 2, in Douglas county: block 000, block 002; and the following voting districts in Douglas county: (120220), (120240), (120260), (120360), (900120).

Sec. 95. Representative district 47 shall consist of the following voting districts in Douglas county: (000010), (000030), (00003A); and the following blocks in voting district (000560), tract 0006.02, block group 1, in Douglas county: block 011, block 012, block 013; and the following blocks in voting district (000560), tract 0008.01, block group 1, in Douglas county: block 003, block 006; and the following blocks in voting district (120070), tract 0008.01, block group 1, in Douglas county: block 004, block 005; and the following blocks in voting district (120070), tract 0014.00, block group 2, in Douglas county: block 000, block 001, block 003, block 004, block 017, block 021, block 022, block 024, block 025, block 026, block 027, block 028, block 029, block 031, block 032, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 112, block 114, block 115, block 116, block 117, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 149, block 150, block 151, block 154, block 156; and the following blocks in voting district (120070), tract 0014.00, block group 3, in Douglas county: block 002, block 003, block 004; and the following blocks in voting district (120070), tract 0015.00, block group 2, in Douglas county: block 065, block 066; and the following blocks in voting district (120080), tract 0014.00, block group 2, in Douglas county: block 002; and the following blocks in voting district (120080), tract 0015.00, block group 1, in Douglas county: block 075, block 078, block 080; and the following voting districts in Douglas county: (120290), (120310), (120400); and the following blocks in voting district (120410), tract 0012.01, block group 1, in Douglas county: block 059; and the following voting districts in Douglas county: (160750), (18046B), (180560), (190040), (190080), (190090), (190110), (400110), (900010); and the following voting districts in Jackson county: (000030), (000040); and the following voting districts in Jefferson county: (000010), (000020), (000030), (000040), (000050), (000060),

(000070), (000080), (000090), (000100); and the following blocks in voting district (000110), tract 0203.00, block group 3, in Jefferson county: block 025, block 026, block 050, block 051, block 052, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 101, block 102, block 103; and the following blocks in voting district (000120), tract 0203.00, block group 3, in Jefferson county: block 000, block 006, block 007, block 027, block 028; and the following voting districts in Jefferson county: (000130).

Sec. 96. Representative district 48 shall consist of the following voting districts in Johnson county: (002160), (002200), (002210), (002240), (00226B), (00244A), (901090), (901100), (901110); and the following blocks in voting district (901140), tract 0534.18, block group 3, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 015, block 016; and the following blocks in voting district (901150), tract 0534.18, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following voting districts in Johnson county: (920960), (920980).

Sec. 97. Representative district 49 shall consist of the following blocks in voting district (001310), tract 0535.06, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 013, block 014, block 015; and the following blocks in voting district (001370), tract 0535.06, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 013, block 018, block 019, block 020; and the following voting districts in Johnson county: (00140B); and the following blocks in voting district (00147A), tract 0529.08, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016; and the following voting districts in Johnson county: (00147B); and the following blocks in voting district (001480), tract 0529.08, block group 3, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 007, block 008, block 009, block 010, block 011, block 012; and the following blocks in voting district (001500), tract 0530.11, block group 2, in Johnson county: block 004; and the following blocks in voting district (00222A), tract 0530.10, block group 5, in Johnson county: block 000; and the following voting districts in Johnson county: (900790), (900800), (900840); and the following blocks in voting district (901010), tract 0534.21, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block

006, block 007, block 008, block 009, block 010, block 012, block 019; and the following voting districts in Johnson county: (901030), (920240), (920440), (920580), (920840), (920850), (920860).

Sec. 98. Representative district 50 shall consist of the following voting districts in Shawnee county: (000090), (000150); and the following blocks in voting district (000260), tract 0008.00, block group 1, in Shawnee county: block 043; and the following voting districts in Shawnee county: (000330), (000350), (001850), (001880), (100050), (120060), (120070), (200010), (200020), (400090), (400100); and the following blocks in voting district (600010), tract 0007.00, block group 1, in Shawnee county: block 000, block 001; and the following blocks in voting district (600010), tract 0007.00, block group 2, in Shawnee county: block 000, block 029, block 030, block 031; and the following blocks in voting district (600010), tract 0008.00, block group 1, in Shawnee county: block 005, block 006, block 007, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 018, block 019, block 020, block 021; and the following blocks in voting district (600010), tract 0033.01, block group 1, in Shawnee county: block 003, block 004, block 005, block 006, block 007; and the following blocks in voting district (600010), tract 0033.01, block group 2, in Shawnee county: block 020, block 021, block 022, block 023, block 025; and the following blocks in voting district (600010), tract 0034.01, block group 1, in Shawnee county: block 025, block 026, block 027, block 028, block 041, block 042, block 043, block 044; and the following blocks in voting district (600050), tract 0035.00, block group 1, in Shawnee county: block 058, block 059, block 062, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 081, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 124, block 125, block 126, block 127, block 128, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 142, block 144, block 145, block 152, block 154, block 155, block 156, block 157, block 158, block 161, block 162; and the following voting districts in Shawnee county: (600060), (600150), (600160), (600220), (600230), (600240), (600340), (600350), (600360), (600370), (600390); and the following blocks in voting district (900030), tract 0007.00, block group 2, in Shawnee county: block 007, block 008, block 010, block 011, block 012, block 013, block 020, block 032, block 083; and the following blocks in voting district (900030), tract 0034.01, block group 2, in Shawnee county: block 048; and the following blocks in voting district (900030), tract 0035.00, block group 1, in Shaw-

nee county: block 140, block 141, block 148, block 149; and the following voting districts in Shawnee county: (900040), (900050).

Sec. 99. Representative district 51 shall consist of the following blocks in voting district (000020), tract 0001.02, block group 1, in Pottawatomie county: block 034, block 035, block 041, block 042, block 043, block 044; and the following blocks in voting district (000020), tract 0001.02, block group 2, in Pottawatomie county: block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 043; and the following blocks in voting district (000020), tract 0001.02, block group 3, in Pottawatomie county: block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 012, block 013, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 031, block 033, block 035, block 036, block 068, block 069, block 070, block 079, block 080, block 081, block 082; and the following blocks in voting district (000020), tract 0001.02, block group 4, in Pottawatomie county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031; and the following voting districts in Pottawatomie county: (000120), (000250), (000270); and the following blocks in voting district (120030), tract 0001.02, block group 1, in Pottawatomie county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 036, block 037, block 038, block 039, block 040, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060; and the following blocks in voting district (120030), tract 0001.02, block group 2, in Pottawatomie county: block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 029, block 030, block 031, block 032, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 044; and the following blocks in voting district (120030), tract 0001.02, block group 3, in Pottawatomie county: block 000, block 001, block 002, block 003; and the following blocks in voting district (120030), tract 0002.00, block group 1, in Pottawatomie county: block 045, block 046, block 047, block 051, block 052, block 057, block 058, block 059; and the following blocks in voting district (120030), tract 0002.00, block group 4, in Pottawatomie county: block 046, block 047, block 048, block

054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066; and the following voting districts in Pottawatomie county: (120070); and the following blocks in voting district (120080), tract 0002.00, block group 1, in Pottawatomie county: block 014, block 019; and the following blocks in voting district (120080), tract 0002.00, block group 3, in Pottawatomie county: block 005, block 010, block 011, block 012, block 013, block 015, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 069, block 071, block 075, block 076, block 080; and the following voting districts in Pottawatomie county: (120100), (120110), (180010), (190010), (190020), (190030), (900010), (900030); and the following voting districts in Riley county: (000400), (000480), (190020); and the following blocks in voting district (400030), tract 0002.02, block group 1, in Riley county: block 000, block 001, block 002, block 025, block 026, block 027, block 028; and the following blocks in voting district (400030), tract 0002.02, block group 2, in Riley county: block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 014, block 015, block 016, block 017, block 019, block 020, block 021, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 037, block 038, block 039; and the following voting districts in Riley county: (40003A), (40003B); and all of Wabaunsee county.

Sec. 100. Representative district 52 shall consist of the following voting districts in Shawnee county: (000340); and the following blocks in voting district (001560), tract 0026.02, block group 2, in Shawnee county: block 000; and the following voting districts in Shawnee county: (001610), (001620), (001630), (001640), (001670), (001710), (001720), (001780), (100030), (100040); and the following blocks in voting district (120100), tract 0036.07, block group 2, in Shawnee county: block 000, block 001, block 002, block 003, block 004, block 005, block 008, block 009, block 010, block 016, block 017, block 018, block 019, block 020, block 021; and the following voting districts in Shawnee county: (120120), (120190), (160010), (200070), (200080), (200130), (200150), (200160), (300090), (500110), (50011A), (50011B), (50011C), (500140), (600080), (600250), (600270), (600300), (600310), (600330), (600530), (700010), (700020), (800010), (800040), (900060), (900070), (900080), (900090).

Sec. 101. Representative district 53 shall consist of the following voting districts in Shawnee county: (000240), (001360); and the following blocks in voting district (001370), tract 0024.01, block group 1, in Shawnee county: block 011, block 012; and the following blocks in voting district (001370), tract 0024.01, block group 3, in Shawnee county: block 002, block 003, block 007, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block

023, block 024; and the following blocks in voting district (001370), tract 0024.02, block group 2, in Shawnee county: block 000, block 001; and the following voting districts in Shawnee county: (001380), (001400), (001410), (001420), (001430), (001440), (001450), (001460), (001470), (001480), (001490), (001500), (001510), (001520), (001530), (001540), (001550); and the following blocks in voting district (001560), tract 0026.01, block group 3, in Shawnee county: block 026; and the following blocks in voting district (001560), tract 0027.01, block group 4, in Shawnee county: block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 023, block 024, block 025; and the following voting districts in Shawnee county: (001570), (001590), (001600), (001760); and the following blocks in voting district (120100), tract 0024.01, block group 3, in Shawnee county: block 008, block 009, block 010, block 011, block 028, block 029; and the following voting districts in Shawnee county: (120130), (12013A), (120180), (120200), (160030), (200140), (400070), (400110), (500010), (600260), (600280), (600290), (600470), (600510), (600570), (600580), (800020).

Sec. 102. Representative district 54 shall consist of the following blocks in voting district (000007), tract 0103.00, block group 1, in Osage county: block 038, block 039, block 040, block 041, block 042, block 043, block 044; and the following voting districts in Osage county: (000040), (000050); and the following blocks in voting district (000060), tract 0105.00, block group 1, in Osage county: block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 095, block 096, block 138, block 170, block 171; and the following blocks in voting district (000100), tract 0105.00, block group 1, in Osage county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 035, block 061; and the following voting districts in Osage county: (000110), (000120), (000190), (000200), (000210); and the following blocks in voting district (000230), tract 0103.00, block group 1, in Osage county: block 053, block 054, block 068, block 069, block 070, block 071, block 072, block 075, block 078, block 079, block 457, block 460; and the following blocks in voting district (000260), tract 0009.00, block group 2, in Shawnee county: block 000, block 001, block 002, block 003, block 004, block 012, block 013, block 019, block 022, block 023, block 024, block 025, block 026, block 027, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 045, block 046, block 047, block 049, block 061; and the following

blocks in voting district (000260), tract 0039.01, block group 1, in Shawnee county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 040, block 041; and the following blocks in voting district (000260), tract 0039.01, block group 3, in Shawnee county: block 000, block 001, block 002, block 003, block 004, block 005, block 008, block 009, block 010, block 016; and the following voting districts in Shawnee county: (000270); and the following blocks in voting district (000280), tract 0039.02, block group 1, in Shawnee county: block 021, block 033, block 034, block 035, block 036, block 044, block 045, block 053, block 054, block 058, block 059; and the following voting districts in Shawnee county: (000290), (000370), (001030), (001680), (001890), (120020), (120040), (120080), (12008A), (120090), (12010A), (120310), (120320), (170030), (200050), (600170), (600180), (600190), (600490), (600500), (900110), (900120), (900140).

Sec. 103. Representative district 55 shall consist of the following voting districts in Shawnee county: (000590), (000600), (000610), (000630), (000640), (000650), (000740), (001040), (001050), (001060), (001070), (001080), (001090), (001100), (001120), (001130), (001140), (001150), (001160), (001170), (001180), (001190), (001200), (001210), (001220), (001230), (001240), (001250), (600020); and the following blocks in voting district (900030), tract 0022.00, block group 1, in Shawnee county: block 000.

Sec. 104. Representative district 56 shall consist of the following blocks in voting district (000280), tract 0039.02, block group 1, in Shawnee county: block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 046, block 047, block 048, block 055, block 103; and the following voting districts in Shawnee county: (000960), (000970), (000980), (000990), (001000), (001270), (001280), (001290), (001300), (001310), (001320), (001330), (001340), (001350), (001650), (120160), (12016A), (120170), (120250), (120290), (120300), (500160), (600090), (600110), (600200), (600210), (600440), (800060), (800070), (900010).

Sec. 105. Representative district 57 shall consist of the following voting districts in Shawnee county: (000080), (000250); and the following blocks in voting district (000260), tract 0009.00, block group 2, in Shawnee county: block 005; and the following voting districts in Shawnee county: (000300), (000410), (000420), (000430), (000440), (000480), (000490), (000500), (000510), (000520), (000530), (000540), (000550), (000560), (000570), (000580), (000690), (000700), (000710), (000800); and the following blocks in voting district (001370), tract 0035.00, block group 1, in Shawnee county: block 150, block 151; and the following voting districts

in Shawnee county: (001910), (120030), (120050), (120210), (120270), (200170), (200180), (500120); and the following blocks in voting district (600010), tract 0007.00, block group 1, in Shawnee county: block 002, block 003; and the following blocks in voting district (600010), tract 0008.00, block group 1, in Shawnee county: block 017; and the following blocks in voting district (600050), tract 0035.00, block group 1, in Shawnee county: block 143, block 147; and the following blocks in voting district (900030), tract 0007.00, block group 1, in Shawnee county: block 016, block 017, block 018; and the following blocks in voting district (900030), tract 0007.00, block group 2, in Shawnee county: block 014, block 021, block 023, block 024, block 025, block 026, block 027, block 028, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 096, block 097, block 098, block 099, block 100, block 102, block 109, block 111, block 112; and the following blocks in voting district (900030), tract 0035.00, block group 1, in Shawnee county: block 146.

Sec. 106. Representative district 58 shall consist of the following voting districts in Shawnee county: (000190), (000310), (000660), (000750), (000760), (000770), (000780), (000820), (000830), (000840), (000850), (000860), (000870), (000880), (000890), (000920), (000930), (000940), (000950), (001010), (100060), (120220), (120230), (120240), (120260), (120280), (500070), (500080), (600140), (600420), (600430).

Sec. 107. Representative district 59 shall consist of the following voting districts in Franklin county: (000010), (000020), (000030), (000040), (000060), (000070), (000080), (000090), (000100), (000110), (00012A), (00013A), (00013B), (00013C), (000140), (000150), (000160), (000180), (000190), (00020A), (000210), (000220), (000230), (000240), (000250), (900010).

Sec. 108. Representative district 60 shall consist of the following voting districts in Lyon county: (000010), (000020); and the following blocks in voting district (000030), tract 0001.03, block group 1, in Lyon county: block 035, block 036; and the following blocks in voting district (000030), tract 0005.00, block group 1, in Lyon county: block 003, block 004, block 005, block 006, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025,

block 026, block 027, block 028, block 030; and the following blocks in voting district (000030), tract 0005.00, block group 2, in Lyon county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 046, block 047, block 048, block 049, block 050, block 051; and the following blocks in voting district (000030), tract 0005.00, block group 3, in Lyon county: block 000, block 001, block 002, block 003, block 014, block 015, block 016, block 017; and the following voting districts in Lyon county: (00005A), (00005B), (00005C), (000070), (000080), (000090), (000100), (000110), (000120), (000130), (00013A), (000140), (000150), (000160), (000170), (00017A), (00017C), (000180), (000190), (000200), (000240); and the following blocks in voting district (000270), tract 0003.00, block group 4, in Lyon county: block 016, block 017; and the following blocks in voting district (000270), tract 0007.00, block group 1, in Lyon county: block 199; and the following blocks in voting district (000270), tract 0007.00, block group 2, in Lyon county: block 001, block 002, block 004, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 057, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 075, block 076, block 082, block 089, block 092, block 093, block 202, block 203, block 204; and the following blocks in voting district (00028A), tract 0001.03, block group 1, in Lyon county: block 000, block 001, block 003, block 004, block 005, block 024, block 025, block 029, block 032, block 033, block 037, block 038; and the following blocks in voting district (00028A), tract 0002.01, block group 2, in Lyon county: block 019; and the following blocks in voting district (00028A), tract 0005.00, block group 1, in Lyon county: block 001, block 002; and the following blocks in voting district (00028A), tract 0006.00, block group 2, in Lyon county: block 226, block 227, block 228, block 234, block 235, block 238, block 239, block 241, block 242, block 243, block 244, block 245, block 246, block 248, block 257, block 258, block 259, block 265; and the following voting districts in Lyon county: (00028B), (00028C); and the following blocks in voting district (000290), tract 0002.02, block group 1, in Lyon county: block 000, block 001, block 002, block 004, block 008, block 015; and the following blocks in voting district (000290), tract 0003.00, block group 4, in Lyon county: block 005, block 006, block 007, block 008, block

011; and the following blocks in voting district (000290), tract 0006.00, block group 2, in Lyon county: block 218, block 219, block 220, block 223; and the following blocks in voting district (000290), tract 0007.00, block group 1, in Lyon county: block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 194, block 196, block 197, block 198; and the following blocks in voting district (000290), tract 0007.00, block group 2, in Lyon county: block 000, block 005, block 006, block 007, block 078, block 079, block 080, block 081, block 083, block 084, block 085, block 094; and the following voting districts in Lyon county: (00029A), (300010), (900030), (900040), (900070).

Sec. 109. Representative district 61 shall consist of the following voting districts in Jackson county: (000010), (000020); and the following blocks in voting district (000050), tract 0826.00, block group 5, in Jackson county: block 010, block 011, block 012; and the following blocks in voting district (000050), tract 0827.00, block group 1, in Jackson county: block 009, block 010, block 011, block 023, block 024, block 026, block 073; and the following blocks in voting district (000050), tract 0827.00, block group 2, in Jackson county: block 018, block 019, block 027, block 028, block 029, block 032, block 033, block 034, block 035, block 036, block 037, block 038; and the following blocks in voting district (000050), tract 0828.00, block group 1, in Jackson county: block 178, block 182, block 183, block 184, block 193, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 207, block 213, block 214, block 215, block 216, block 217, block 218, block 219, block 225, block 226, block 229, block 230, block 231; and the following blocks in voting district (000050), tract 0828.00, block group 2, in Jackson county: block 000, block 001, block 002, block 003, block 004, block 005; and the following voting districts in Jackson county: (000070); and the following blocks in voting district (00008A), tract 0827.00, block group 1, in Jackson county: block 025, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 063, block 064, block 066, block 069, block 070, block 071, block 072; and the following blocks in voting district (00008A), tract 0827.00, block group 3, in Jackson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016; and the following blocks in voting district (00008A), tract 0827.00, block group 4, in Jackson county: block 000, block 001, block 012, block 013, block 014, block 015; and the following voting districts in Jackson county: (000090), (00010A); and the following blocks in voting district (000110), tract 0828.00, block group 1, in Jackson county: block 112, block 171; and the following voting

districts in Jackson county: (000130), (000170); and the following voting districts in Pottawatomie county: (000010); and the following blocks in voting district (000020), tract 0001.01, block group 2, in Pottawatomie county: block 010, block 011, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 085, block 086, block 087, block 088, block 089; and the following blocks in voting district (000020), tract 0004.00, block group 3, in Pottawatomie county: block 167, block 168, block 169, block 170, block 171, block 172, block 173, block 174, block 175, block 176; and the following voting districts in Pottawatomie county: (000030), (000040), (000050), (000060), (000070), (000080), (000090), (000100), (000110), (000130), (000140), (000150), (000160), (000170), (000180), (000190), (000210), (000220), (000230), (000240), (120020); and the following blocks in voting district (120030), tract 0001.01, block group 1, in Pottawatomie county: block 143, block 144, block 151; and the following blocks in voting district (120030), tract 0001.01, block group 2, in Pottawatomie county: block 031, block 032, block 038, block 063; and the following blocks in voting district (120030), tract 0001.02, block group 2, in Pottawatomie county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 033, block 034, block 045; and the following blocks in voting district (120030), tract 0002.00, block group 1, in Pottawatomie county: block 005, block 006, block 007; and the following voting districts in Pottawatomie county: (120060); and the following blocks in voting district (120080), tract 0001.01, block group 1, in Pottawatomie county: block 148, block 149; and the following blocks in voting district (120080), tract 0002.00, block group 1, in Pottawatomie county: block 008, block 009, block 011, block 012, block 013; and the following blocks in voting district (120080), tract 0002.00, block group 3, in Pottawatomie county: block 000, block 001, block 002, block 003; and the following blocks in voting district (120080), tract 0003.00, block group 1, in Pottawatomie county: block 189, block 190, block 191, block 192; and the following blocks in voting district (000140), tract 0002.02, block group 3, in Riley county: block 000, block 001, block 005, block 008, block 009, block 011, block 020, block 022; and the following blocks in voting district (000140), tract 0002.02, block group 4, in Riley county: block 017, block 020, block 022, block 023; and the following voting districts in Riley county: (00042B), (00042C); and the following blocks in voting district (190010), tract

0002.01, block group 2, in Riley county: block 000, block 001, block 003, block 004, block 005, block 006, block 007, block 008; and the following blocks in voting district (190010), tract 0002.02, block group 2, in Riley county: block 012, block 013; and the following voting districts in Riley county: (300020), (500030).

Sec. 110. Representative district 62 shall consist of all of Brown county; and the following blocks in voting district (000050), tract 0826.00, block group 5, in Jackson county: block 006, block 007, block 008, block 009, block 013, block 014, block 015, block 046, block 047, block 048, block 049, block 050; and the following blocks in voting district (000050), tract 0827.00, block group 1, in Jackson county: block 027, block 028, block 029, block 030, block 065; and the following blocks in voting district (000050), tract 0827.00, block group 2, in Jackson county: block 000, block 001, block 003, block 004, block 005, block 039, block 040, block 041, block 042; and the following blocks in voting district (000050), tract 0827.00, block group 3, in Jackson county: block 023, block 024; and the following voting districts in Jackson county: (000060); and the following blocks in voting district (00008A), tract 0827.00, block group 1, in Jackson county: block 067, block 068; and the following voting districts in Jackson county: (00008B), (00010B); and the following blocks in voting district (000110), tract 0828.00, block group 1, in Jackson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 051, block 052, block 053, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 122, block 123, block 124, block 125, block 235, block 236, block 237; and the following voting districts in Jackson county: (000120), (000140), (000150), (000160), (000180); and all of Nemaha county.

Sec. 111. Representative district 63 shall consist of all of Atchison county; and all of Doniphan county.

Sec. 112. Representative district 64 shall consist of all of Clay county; and the following voting districts in Cloud county: (000020); and the following blocks in voting district (000040), tract 9771.00, block group 2, in Cloud county: block 192, block 193, block 194, block 195, block 196, block 199, block 200, block 201, block 202, block 302, block 303, block 304, block 305, block 306, block 311, block 312, block 313, block 314,

block 315, block 319, block 320, block 321, block 322, block 323, block 324, block 325, block 329, block 330, block 331, block 332, block 341, block 342, block 343, block 344; and the following voting districts in Cloud county: (000050); and the following blocks in voting district (00011A), tract 9771.00, block group 2, in Cloud county: block 151, block 172, block 173, block 540, block 541; and the following blocks in voting district (00011A), tract 9772.00, block group 2, in Cloud county: block 001, block 009, block 010, block 021, block 022, block 050, block 051, block 054, block 055, block 056, block 057; and the following voting districts in Cloud county: (000120), (000130), (000160), (000170), (000180), (000190); and the following blocks in voting district (000200), tract 9771.00, block group 2, in Cloud county: block 023, block 024, block 025, block 026, block 029, block 030, block 041, block 042, block 043, block 044, block 045, block 049, block 050, block 051, block 052, block 053, block 054, block 539, block 542, block 545; and the following blocks in voting district (000200), tract 9772.00, block group 2, in Cloud county: block 011, block 012; and the following voting districts in Cloud county: (000220), (000230); and the following blocks in voting district (000260), tract 9771.00, block group 2, in Cloud county: block 347, block 354, block 357, block 366, block 369, block 370, block 487; and the following voting districts in Cloud county: (000280); and the following blocks in voting district (000070), tract 0841.00, block group 1, in Dickinson county: block 014, block 015, block 016, block 017, block 018, block 019, block 040; and the following voting districts in Dickinson county: (000090), (000100), (000110); and the following blocks in voting district (000140), tract 0841.00, block group 1, in Dickinson county: block 012, block 013; and the following blocks in voting district (000140), tract 0841.00, block group 2, in Dickinson county: block 181, block 182, block 189, block 190, block 191; and the following blocks in voting district (000260), tract 0841.00, block group 2, in Dickinson county: block 175, block 176, block 177, block 178, block 188, block 192; and the following voting districts in Dickinson county: (000290); and the following blocks in voting district (000320), tract 0841.00, block group 1, in Dickinson county: block 020, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 035; and the following voting districts in Riley county: (000020), (000030), (000040); and the following blocks in voting district (00005A), tract 0010.02, block group 2, in Riley county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 019, block 022, block 023, block 024, block 025, block 026, block 027; and the following blocks in voting district (00005A), tract 0010.02, block group 3, in Riley county: block 003, block 004, block 005, block 006, block 101, block 102; and the following blocks in voting district (00005A),

tract 0010.02, block group 4, in Riley county: block 001, block 002, block 007; and the following blocks in voting district (00005A), tract 0010.02, block group 5, in Riley county: block 002; and the following blocks in voting district (00005A), tract 0013.02, block group 3, in Riley county: block 027; and the following blocks in voting district (00005A), tract 9800.00, block group 1, in Riley county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 098, block 099; and the following blocks in voting district (00005B), tract 0010.02, block group 1, in Riley county: block 005, block 007; and the following blocks in voting district (00005B), tract 0010.02, block group 2, in Riley county: block 028, block 029; and the following blocks in voting district (00005B), tract 0010.02, block group 4, in Riley county: block 000, block 003, block 004, block 005, block 006; and the following blocks in voting district (00005B), tract 0010.02, block group 5, in Riley county: block 000, block 001, block 003; and the following voting districts in Riley county: (000060), (000070), (000080); and the following blocks in voting district (00039A), tract 0002.01, block group 1, in Riley county: block 018, block 020, block 021, block 022, block 024, block 025, block 030, block 036; and the following blocks in voting district (00039A), tract 0011.02, block group 1, in Riley county: block 003; and the following blocks in voting district (00039A), tract 0013.01, block group 2, in Riley county: block 000; and the following blocks in voting district (00039A), tract 0013.01, block group 3, in Riley county: block 000; and the following blocks in voting district (00039A), tract 0013.02, block group 1, in Riley county: block 074, block 075, block 076, block 082, block 083, block 084; and the following blocks in voting district (00039A), tract 0013.02, block group 3, in Riley county: block 000, block 001, block 028; and the following voting districts in Riley county: (000430), (000450), (000460); and the following blocks in voting district (00047A), tract 0006.02, block group 1, in Riley county: block 006, block 007, block 008; and the following blocks

in voting district (00047A), tract 0013.01, block group 3, in Riley county: block 002, block 004, block 007, block 008, block 009; and the following blocks in voting district (00047A), tract 0013.02, block group 1, in Riley county: block 063, block 064, block 077, block 078, block 079; and the following blocks in voting district (00047A), tract 0013.02, block group 2, in Riley county: block 118, block 120, block 121, block 122, block 123, block 124, block 125, block 126; and the following blocks in voting district (00047A), tract 0013.02, block group 3, in Riley county: block 002, block 003, block 004, block 005, block 007, block 008, block 009, block 010, block 011, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 029; and the following blocks in voting district (00047A), tract 9800.00, block group 1, in Riley county: block 070; and the following voting districts in Riley county: (120050); and the following blocks in voting district (190010), tract 0002.01, block group 1, in Riley county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 015, block 016, block 017, block 019, block 029, block 031, block 032, block 033, block 035; and the following voting districts in Riley county: (190030), (300030), (300050).

Sec. 113. Representative district 65 shall consist of the following blocks in voting district (00002A), tract 0003.00, block group 4, in Geary county: block 002; and the following blocks in voting district (00002A), tract 0006.01, block group 2, in Geary county: block 004, block 007, block 008, block 009, block 010, block 011, block 018, block 030; and the following blocks in voting district (00002B), tract 0003.00, block group 4, in Geary county: block 001, block 003; and the following blocks in voting district (00002B), tract 0006.01, block group 2, in Geary county: block 012, block 015, block 016, block 017, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044; and the following voting districts in Geary county: (00002O), (00002P), (00002Q), (00002R); and the following blocks in voting district (000080), tract 0005.00, block group 3, in Geary county: block 000, block 001, block 006, block 007, block 008, block 009, block 015, block 016, block 017, block 018, block 019, block 024, block 025, block 026, block 027, block 028, block 033, block 034, block 035, block 036, block 037, block 038, block 043, block 044; and the following blocks in voting district (000080), tract 0005.00, block group 4, in Geary county: block 000, block 001, block 004, block 005; and the following blocks in voting district (000090), tract 0004.02, block group 2, in Geary county: block 000, block 017; and the following blocks in voting district (000090),

tract 0005.00, block group 3, in Geary county: block 002, block 003, block 004, block 005, block 010, block 011, block 012, block 013, block 014, block 020, block 021, block 022, block 023, block 029, block 030, block 031, block 032, block 039, block 040, block 041, block 042, block 045; and the following blocks in voting district (000090), tract 0005.00, block group 4, in Geary county: block 002, block 003; and the following voting districts in Geary county: (000100); and the following blocks in voting district (000110), tract 0004.01, block group 1, in Geary county: block 008; and the following blocks in voting district (000110), tract 0004.02, block group 2, in Geary county: block 001, block 002, block 003, block 004, block 005, block 008, block 009, block 010, block 016; and the following blocks in voting district (00013A), tract 0004.01, block group 2, in Geary county: block 007; and the following blocks in voting district (00013A), tract 0004.01, block group 3, in Geary county: block 014; and the following blocks in voting district (00013A), tract 0008.02, block group 2, in Geary county: block 043, block 044, block 048; and the following blocks in voting district (000140), tract 0005.00, block group 1, in Geary county: block 001, block 002, block 009, block 010, block 011, block 015, block 016, block 021, block 022, block 035, block 036, block 039, block 040, block 044, block 045; and the following voting districts in Geary county: (000150), (00016A); and the following blocks in voting district (000180), tract 0002.00, block group 2, in Geary county: block 000, block 001, block 004, block 005, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 027, block 028, block 029, block 030, block 031, block 032, block 036, block 037, block 038, block 039, block 040; and the following voting districts in Geary county: (000190), (000210), (00022A), (00022B); and the following blocks in voting district (000230), tract 0002.00, block group 3, in Geary county: block 000, block 001, block 002, block 005, block 006, block 007, block 008, block 011, block 012, block 013, block 014, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028; and the following blocks in voting district (000230), tract 0003.00, block group 4, in Geary county: block 019; and the following voting districts in Geary county: (000270), (000271), (000330), (000340), (12015B), (12017A); and the following blocks in voting district (900010), tract 0008.01, block group 1, in Geary county: block 003, block 010, block 011; and the following blocks in voting district (900010), tract 0008.02, block group 2, in Geary county: block 027, block 034, block 050; and the following blocks in voting district (900010), tract 0008.02, block group 3, in Geary county: block 002, block 003, block 011, block 012, block 013, block 014, block 015, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030,

block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 046; and the following voting districts in Geary county: (900030), (900040), (900060), (900070); and the following blocks in voting district (900130), tract 0004.01, block group 1, in Geary county: block 009, block 021, block 022; and the following blocks in voting district (900130), tract 0004.01, block group 3, in Geary county: block 015; and the following voting districts in Geary county: (900140), (900150), (900180), (900210), (900220), (900230); and the following blocks in voting district (900240), tract 0008.02, block group 2, in Geary county: block 035, block 049; and the following voting districts in Geary county: (900250), (900260), (900270).

Sec. 114. Representative district 66 shall consist of the following voting districts in Riley county: (000120); and the following blocks in voting district (000140), tract 0002.02, block group 3, in Riley county: block 004, block 010, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 021, block 023, block 024, block 025, block 026, block 027, block 028; and the following blocks in voting district (000140), tract 0002.02, block group 4, in Riley county: block 007, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 024; and the following blocks in voting district (000140), tract 0005.00, block group 4, in Riley county: block 000; and the following blocks in voting district (000140), tract 0011.01, block group 1, in Riley county: block 005, block 012; and the following voting districts in Riley county: (000170); and the following blocks in voting district (00022A), tract 0007.00, block group 3, in Riley county: block 000, block 001, block 002, block 003, block 011, block 012, block 013, block 014, block 015, block 016; and the following blocks in voting district (00022A), tract 0009.00, block group 5, in Riley county: block 124; and the following blocks in voting district (000230), tract 0007.00, block group 2, in Riley county: block 000, block 002, block 003, block 006, block 008, block 011, block 012; and the following blocks in voting district (000370), tract 0011.02, block group 1, in Riley county: block 007, block 012; and the following blocks in voting district (00039A), tract 0011.02, block group 1, in Riley county: block 000; and the following blocks in voting district (190010), tract 0002.02, block group 4, in Riley county: block 008, block 009; and the following blocks in voting district (190010), tract 0011.01, block group 1, in Riley county: block 000, block 001, block 002, block 006, block 011; and the following voting districts in Riley county: (300040), (400010), (400020); and the following blocks in voting district (400030), tract 0002.02, block group 1, in Riley county: block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 029, block 030, block 031; and

the following blocks in voting district (400030), tract 0008.02, block group 2, in Riley county: block 006; and the following voting districts in Riley county: (400040), (400060), (400070).

Sec. 115. Representative district 67 shall consist of the following blocks in voting district (00022A), tract 0007.00, block group 1, in Riley county: block 007; and the following blocks in voting district (00022A), tract 0009.00, block group 5, in Riley county: block 026, block 130; and the following voting districts in Riley county: (00022B); and the following blocks in voting district (000230), tract 0007.00, block group 1, in Riley county: block 008; and the following blocks in voting district (000230), tract 0007.00, block group 2, in Riley county: block 001, block 004, block 005, block 007, block 009, block 010; and the following blocks in voting district (000230), tract 0007.00, block group 3, in Riley county: block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 017; and the following voting districts in Riley county: (00025A), (00025B), (000310), (000320), (000330), (000340), (000350), (00036A); and the following blocks in voting district (000370), tract 0011.02, block group 1, in Riley county: block 004, block 005, block 006, block 010, block 011, block 013; and the following blocks in voting district (000370), tract 0011.02, block group 2, in Riley county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012; and the following blocks in voting district (000370), tract 0011.02, block group 3, in Riley county: block 000, block 001, block 002, block 003, block 004, block 005; and the following voting districts in Riley county: (00039B), (00039C), (00039E); and the following blocks in voting district (000410), tract 0006.02, block group 1, in Riley county: block 019; and the following blocks in voting district (000410), tract 0006.02, block group 2, in Riley county: block 017, block 020, block 021, block 026, block 027; and the following blocks in voting district (000410), tract 0009.00, block group 2, in Riley county: block 002, block 003, block 017; and the following blocks in voting district (000410), tract 0009.00, block group 3, in Riley county: block 003, block 012, block 020, block 021, block 023, block 024; and the following blocks in voting district (000410), tract 0009.00, block group 5, in Riley county: block 015, block 016, block 017, block 020, block 022, block 024, block 025, block 029, block 048, block 067, block 129, block 131; and the following voting districts in Riley county: (00041A); and the following blocks in voting district (00047A), tract 0006.02, block group 1, in Riley county: block 002, block 003; and the following blocks in voting district (00047A), tract 0013.01, block group 3, in Riley county: block 005, block 013, block 014, block 037; and the following voting districts in Riley county: (00047B), (00047C), (00047D), (00047E), (00047F), (190040), (190050), (400050), (400080), (400090), (500010), (600001), (800001), (900030), (900040), (900060).

Sec. 116. Representative district 68 shall consist of the following voting districts in Geary county: (000010); and the following blocks in voting district (00002A), tract 0006.01, block group 1, in Geary county: block 007; and the following blocks in voting district (00002B), tract 0001.00, block group 2, in Geary county: block 000, block 005, block 020; and the following blocks in voting district (00002B), tract 0001.00, block group 3, in Geary county: block 000; and the following blocks in voting district (00002B), tract 0006.01, block group 1, in Geary county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 024, block 025, block 026, block 027, block 028, block 029; and the following blocks in voting district (00002B), tract 0006.02, block group 1, in Geary county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054; and the following blocks in voting district (00002B), tract 0006.02, block group 2, in Geary county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019; and the following voting districts in Geary county: (00002L), (000040), (000050), (000060), (00007A); and the following blocks in voting district (000080), tract 0005.00, block group 4, in Geary county: block 006, block 007, block 010, block 011, block 012, block 013, block 017, block 018; and the following blocks in voting district (000090), tract 0004.01, block group 3, in Geary county: block 000, block 001, block 007, block 008, block 021; and the following blocks in voting district (000090), tract 0004.02, block group 2, in Geary county: block 018, block 019, block 020, block 021, block 022, block 023; and the following blocks in voting district (000090), tract 0005.00, block group 4, in Geary county: block 008, block 009, block 014, block 015, block 016, block 027; and the following blocks in voting district (000110), tract 0004.01, block group 3, in Geary county: block 002, block 006, block 022; and the following blocks in voting district (000110), tract 0004.02, block group 2, in Geary county: block 006, block 007, block 011, block 012, block 013, block 014, block 015; and the following blocks in voting district (00013A), tract 0004.01, block group 2, in Geary county: block 000, block 001, block 002, block

003, block 004, block 005, block 006, block 008, block 009, block 010; and the following blocks in voting district (00013A), tract 0004.01, block group 3, in Geary county: block 003, block 004, block 005, block 009, block 010, block 011, block 012, block 013, block 016, block 017, block 018, block 019, block 020, block 023; and the following blocks in voting district (00013A), tract 0007.00, block group 1, in Geary county: block 122, block 123, block 124; and the following blocks in voting district (00013A), tract 0008.02, block group 2, in Geary county: block 054, block 058, block 059, block 060; and the following blocks in voting district (000140), tract 0001.00, block group 1, in Geary county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 076, block 078, block 079, block 080, block 081, block 087; and the following blocks in voting district (000140), tract 0005.00, block group 1, in Geary county: block 000, block 012, block 013, block 014; and the following blocks in voting district (000180), tract 0001.00, block group 1, in Geary county: block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056; and the following blocks in voting district (000230), tract 0001.00, block group 3, in Geary county: block 014, block 015, block 019, block 020, block 021, block 024, block 025, block 030, block 031, block 038; and the following voting districts in Geary county: (000240), (000250); and the following blocks in voting district (900010), tract 0008.02, block group 2, in Geary county: block 051, block 055, block 068, block 069, block 070, block 071, block 074, block 075, block 076, block 077, block 078, block 079, block 113, block 116, block 117, block 118, block 120, block 121; and the following voting districts in Geary county: (900020), (900100); and the following blocks in voting district (900130), tract 0004.01, block group 1, in Geary county: block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019; and the following voting districts in Geary county: (900190), (900200); and the following blocks in voting district (900240), tract 0007.00, block group 1, in Geary county: block 121, block 125, block 126, block 127; and the following blocks in voting district (900240), tract 0008.02, block group 2, in Geary county: block 052, block 053, block 056, block 057, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 072, block 073, block 114, block 115; and the follow-

ing voting districts in Geary county: (900280); and all of Morris county; and the following voting districts in Riley county: (000010); and the following blocks in voting district (00005A), tract 0009.00, block group 2, in Riley county: block 026, block 050; and the following blocks in voting district (00005A), tract 0009.00, block group 5, in Riley county: block 118, block 119, block 120, block 126, block 127; and the following blocks in voting district (00005A), tract 0010.02, block group 2, in Riley county: block 018, block 020, block 021, block 031, block 032, block 033, block 034, block 035, block 036; and the following blocks in voting district (00005A), tract 0010.02, block group 3, in Riley county: block 000, block 001, block 002, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100; and the following blocks in voting district (00005A), tract 0010.02, block group 6, in Riley county: block 001, block 002, block 003, block 005, block 006, block 012; and the following blocks in voting district (00005A), tract 0010.02, block group 7, in Riley county: block 000, block 001, block 002, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011; and the following blocks in voting district (00005A), tract 9800.00, block group 1, in Riley county: block 096, block 097; and the following blocks in voting district (00005B), tract 0010.02, block group 1, in Riley county: block 000, block 001, block 002, block 003, block 004, block 006, block 008; and the following blocks in voting district (00005B), tract 0010.02, block group 2, in Riley county: block 030, block 037, block 038, block 039, block 040, block 041; and the following blocks in voting district (00005B), tract 0010.02, block group 6, in Riley county: block 000, block 004, block 007, block 008, block 009, block 010, block 011; and the following blocks in voting district (00005B), tract 0010.02, block group 7, in Riley county: block 003; and the following voting districts in Riley county: (000380); and the following blocks in voting district (000410), tract 0009.00, block group 5, in Riley county: block 068; and the following voting districts in

Riley county: (00044A), (300010), (300060), (300070), (300090), (300100), (900010), (900020), (90003B).

Sec. 117. Representative district 69 shall consist of the following blocks in voting district (000040), tract 0012.00, block group 1, in Saline county: block 014, block 015, block 016, block 017, block 018, block 093, block 094, block 095, block 096, block 097, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 152; and the following blocks in voting district (000040), tract 0012.00, block group 2, in Saline county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122; and the following voting districts in Saline county: (000050), (000080), (000090); and the following blocks in voting district (000100), tract 0011.00, block group 4, in Saline county: block 087, block 089, block 096, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 127, block 128, block 129, block 133; and the following blocks in voting district (000140), tract 0004.00, block group 2, in Saline county: block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010; and the following blocks in voting district (000140), tract 0006.00, block group 2, in Saline county: block 002; and the following voting districts in Saline county: (000170); and the following blocks in voting district (000180), tract 0004.00, block group 1, in Saline county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008; and the following blocks in voting district (000180), tract 0004.00, block group 2, in Saline county: block 000, block 001, block 002, block 014, block 015; and the following blocks in voting district (000190), tract 0009.00, block group 3, in Saline county: block 003, block 004; and the following voting districts in Saline county: (000200); and the following blocks in voting district (000210), tract 0009.00, block group 3, in Saline county: block 005, block 006, block 012, block 013; and the following blocks in voting district (000210), tract 0009.00, block group 4, in Saline county: block 003; and the following voting districts in Saline county: (000220), (000230), (000240), (00025A); and the following blocks in voting district (000360),

tract 0009.00, block group 4, in Saline county: block 004, block 005, block 006, block 009, block 010, block 011, block 012, block 020, block 021, block 022, block 023, block 026, block 027; and the following voting districts in Saline county: (000380); and the following blocks in voting district (000390), tract 0008.00, block group 1, in Saline county: block 000, block 001, block 009, block 010, block 011, block 012, block 013, block 014; and the following blocks in voting district (000400), tract 0008.00, block group 2, in Saline county: block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 031, block 032, block 052; and the following voting districts in Saline county: (000410); and the following blocks in voting district (00042A), tract 0007.00, block group 2, in Saline county: block 000, block 007, block 008, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 020, block 021, block 022, block 027, block 028, block 036; and the following voting districts in Saline county: (000430), (000440); and the following blocks in voting district (000450), tract 0007.00, block group 1, in Saline county: block 002, block 003, block 005, block 006, block 007, block 008, block 009, block 010, block 057, block 058, block 059, block 063, block 064, block 065, block 066, block 067; and the following blocks in voting district (000450), tract 0007.00, block group 2, in Saline county: block 023, block 024, block 025, block 026, block 031, block 032, block 033, block 034, block 035; and the following blocks in voting district (000450), tract 0012.00, block group 1, in Saline county: block 030, block 031, block 042, block 044, block 060; and the following voting districts in Saline county: (00046A); and the following blocks in voting district (00047B), tract 0006.00, block group 2, in Saline county: block 001, block 004, block 005, block 006, block 037; and the following blocks in voting district (00047B), tract 0011.00, block group 4, in Saline county: block 090, block 091, block 111, block 112, block 126, block 137; and the following voting districts in Saline county: (000480), (000490); and the following blocks in voting district (000510), tract 0011.00, block group 3, in Saline county: block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155; and the following blocks in voting district (000510), tract 0012.00, block group 4, in Saline county: block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054; and the following voting districts in Saline county: (000520); and the following blocks in voting district (300010), tract 0011.00, block group 4, in Saline county:

block 103, block 123, block 124, block 130, block 131, block 132, block 138, block 139, block 140, block 141, block 142; and the following blocks in voting district (300010), tract 0012.00, block group 4, in Saline county: block 008, block 009, block 010, block 011, block 012, block 013, block 024, block 025, block 026, block 033, block 034, block 035, block 037, block 038, block 039, block 040, block 045, block 046; and the following voting districts in Saline county: (30001A), (900080), (900090), (900110).

Sec. 118. Representative district 70 shall consist of the following voting districts in Dickinson county: (000010), (00002A), (00002B), (000030), (000040), (000050), (000060); and the following blocks in voting district (000070), tract 0841.00, block group 1, in Dickinson county: block 037, block 038, block 039, block 041, block 042, block 043, block 044, block 047, block 048, block 049, block 050, block 051, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 133, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 178, block 179, block 180, block 181, block 187, block 196; and the following voting districts in Dickinson county: (000080), (000120), (000130); and the following blocks in voting district (000140), tract 0841.00, block group 1, in Dickinson county: block 006, block 007, block 008, block 009, block 010, block 011, block 045, block 046, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 083, block 085, block 086, block 087, block 091; and the following blocks in voting district (000140), tract 0845.00, block group 1, in Dickinson county: block 036, block 037, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 049; and the following blocks in voting district (000140), tract 0845.00, block group 3, in Dickinson county: block 000, block 001; and the following voting districts in Dickinson county: (000150), (000160), (000170), (000180), (000190), (000200), (000210), (000220), (000230), (000250); and the following blocks in voting district (000260), tract 0841.00, block group 1, in Dickinson county: block 000, block 001, block 002, block 003, block 004, block 005, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 084; and the following blocks in voting district (000260), tract 0841.00, block group 3, in Dickinson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019,

block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116; and the following blocks in voting district (000260), tract 0845.00, block group 1, in Dickinson county: block 000, block 001, block 002, block 003, block 009, block 010, block 011, block 012, block 013, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035; and the following voting districts in Dickinson county: (000270), (000280), (000300), (000310); and the following blocks in voting district (000320), tract 0841.00, block group 1, in Dickinson county: block 030, block 031, block 032, block 033, block 034, block 036, block 105, block 106, block 107, block 108, block 109, block 110, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 171, block 172, block 173, block 174, block 175, block 176, block 177, block 184, block 185, block 186; and the following voting districts in Dickinson county: (120020), (12002A), (120030), (900010), (900020), (900030); and the following voting districts in McPherson county: (000010); and the following blocks in voting district (000050), tract 7881.00, block group 1, in McPherson county: block 093; and the following voting districts in McPherson county: (000080); and the following voting districts in Marion county: (000010), (000030), (000040), (000050), (000060), (000070), (000080), (000100), (00011A), (000120), (000130), (000140), (000190), (000200), (000210), (00022A), (00022B), (000240), (000250), (000290).

Sec. 119. Representative district 71 shall consist of the following voting districts in Saline county: (000010), (000020); and the following blocks in voting district (000030), tract 0011.00, block group 2, in Saline county: block 006, block 007, block 026, block 027, block 028, block 035, block 043, block 044, block 049, block 050, block 100; and the following blocks in voting district (000040), tract 0012.00, block group 1, in Sa-

line county: block 098; and the following voting districts in Saline county: (000070), (00007A); and the following blocks in voting district (00012A), tract 0002.00, block group 1, in Saline county: block 004, block 005, block 006, block 013, block 014, block 015, block 016, block 017, block 018, block 025, block 026, block 027, block 037; and the following blocks in voting district (00012A), tract 0002.00, block group 2, in Saline county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075; and the following blocks in voting district (00012A), tract 0011.00, block group 2, in Saline county: block 046, block 047, block 048, block 051, block 052; and the following blocks in voting district (00013A), tract 0001.02, block group 3, in Saline county: block 002, block 007, block 008, block 017, block 018, block 019, block 020, block 028, block 029, block 030, block 031; and the following blocks in voting district (00013A), tract 0003.00, block group 1, in Saline county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 033, block 034; and the following blocks in voting district (00013A), tract 0003.00, block group 3, in Saline county: block 000, block 001, block 002, block 003, block 004; and the following blocks in voting district (000190), tract 0001.01, block group 3, in Saline county: block 005, block 006, block 007, block 008, block 009; and the following blocks in voting district (000190), tract 0009.00, block group 2, in Saline county: block 001, block 002, block 003, block 004; and the following blocks in voting district (000190), tract 0009.00, block group 3, in Saline county: block 000, block 001, block 002; and the following blocks in voting district (000210), tract 0009.00, block group 2, in Saline county: block 005, block 006, block 007, block 008, block 013, block 014, block 015, block 016; and the following blocks in voting district (000210), tract 0009.00, block group 3, in Saline county: block 007, block 008, block 009, block 010, block 011; and the following voting districts in Saline county: (00026A), (000270), (000280), (000290), (000300), (00031A), (00032A), (00033A), (000340), (000350); and the fol-

lowing blocks in voting district (000360), tract 0009.00, block group 4, in Saline county: block 000, block 001, block 002, block 007, block 008, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 024, block 025, block 028, block 029; and the following voting districts in Saline county: (000370); and the following blocks in voting district (000390), tract 0009.00, block group 5, in Saline county: block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019; and the following blocks in voting district (000390), tract 0009.00, block group 6, in Saline county: block 018, block 019, block 020, block 021, block 022; and the following blocks in voting district (000400), tract 0008.00, block group 2, in Saline county: block 001, block 002, block 003, block 004, block 005, block 006, block 015, block 016, block 017, block 018, block 019, block 020, block 051; and the following blocks in voting district (000400), tract 0009.00, block group 1, in Saline county: block 035; and the following blocks in voting district (00042A), tract 0008.00, block group 2, in Saline county: block 021, block 023, block 024, block 025, block 026, block 027, block 028, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050; and the following blocks in voting district (000450), tract 0007.00, block group 1, in Saline county: block 001, block 068, block 069, block 070, block 071, block 072; and the following blocks in voting district (00047B), tract 0003.00, block group 1, in Saline county: block 019; and the following voting districts in Saline county: (000500), (120030), (170010), (900030), (900040), (900050), (900070), (900100).

Sec. 120. Representative district 72 shall consist of the following voting districts in Butler county: (120080); and the following voting districts in Harvey county: (000030), (00003A); and the following blocks in voting district (000140), tract 0302.00, block group 5, in Harvey county: block 006, block 007, block 008, block 009, block 025, block 026, block 028, block 034; and the following blocks in voting district (000140), tract 0303.00, block group 2, in Harvey county: block 040, block 045, block 046, block 047, block 054, block 059, block 060, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 075, block 076, block 077, block 082, block 083, block 090, block 091; and the following blocks in voting district (000140), tract 0306.01, block group 2, in Harvey county: block 024, block 025, block 026, block 027, block 028, block 059, block 060; and the following voting districts in Harvey county: (000150), (000160), (000170), (000180), (00019A), (000200), (000210), (00021A), (00022A), (00022S), (000230); and the following blocks in voting district (000240), tract 0301.00, block group 4, in Harvey county: block 045, block 053, block 054; and the following blocks in voting district (000240), tract 0302.00, block group 1, in Har-

vey county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 034, block 035, block 036, block 037; and the following blocks in voting district (000240), tract 0302.00, block group 3, in Harvey county: block 000, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012; and the following voting districts in Harvey county: (000250), (000260); and the following blocks in voting district (000270), tract 0302.00, block group 3, in Harvey county: block 001; and the following voting districts in Harvey county: (00027A); and the following blocks in voting district (00027B), tract 0301.00, block group 1, in Harvey county: block 000; and the following blocks in voting district (00027B), tract 0301.00, block group 2, in Harvey county: block 000, block 001, block 002, block 006, block 007; and the following blocks in voting district (00027B), tract 0301.00, block group 4, in Harvey county: block 056, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076; and the following blocks in voting district (00027B), tract 0304.00, block group 5, in Harvey county: block 000, block 014, block 040, block 041, block 047; and the following blocks in voting district (00027B), tract 0305.00, block group 3, in Harvey county: block 156, block 157, block 159, block 160, block 163, block 164, block 172, block 173, block 180; and the following blocks in voting district (00027B), tract 0306.01, block group 2, in Harvey county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 102, block 103; and the following voting districts in Harvey county: (00027C), (00027D), (00027E), (00027F), (00027G), (000290), (000300); and the following blocks in voting district (000310), tract 0306.01, block group 2, in Harvey county: block 055, block 056, block 057, block 058, block 061, block 067, block 068, block 069, block 070, block 075, block 076, block 077, block 078, block 079, block 127, block 128, block 129, block 130, block 132, block 136, block 137, block 138, block 139, block 140, block 141, block 143; and the following blocks in voting district (000310), tract 0306.01, block group 3, in Harvey county: block 000, block 009; and the following voting districts in Harvey county: (190020), (190030), (900020); and the following voting districts in Sedgwick county: (503010); and the following blocks in voting district (503800), tract 0102.02, block group 1, in Sedgwick county: block 003, block 004, block 005, block 006.

Sec. 121. Representative district 73 shall consist of the following voting districts in McPherson county: (000020), (000040); and the following blocks in voting district (000050), tract 7881.00, block group 1,

in McPherson county: block 092, block 094, block 096, block 097, block 098, block 112, block 113, block 114, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 164, block 165, block 166, block 167; and the following voting districts in McPherson county: (000060), (000070), (000090), (000100), (000110), (000120), (000130), (000140), (000150), (000160), (000180), (000190), (000200), (000310), (000320), (000330), (000370), (09004A), (190010), (900010), (900020), (900030), (900040), (90004B), (900050).

Sec. 122. Representative district 74 shall consist of the following voting districts in Harvey county: (000010), (000020), (000040), (00004A), (00004B), (000050), (000060), (000070), (00007B), (000080), (000090), (00010A), (000110), (000120), (000130); and the following blocks in voting district (000140), tract 0302.00, block group 5, in Harvey county: block 001, block 002, block 003, block 004, block 005, block 022, block 023, block 024, block 027, block 029, block 030, block 039, block 040, block 041; and the following blocks in voting district (000140), tract 0303.00, block group 2, in Harvey county: block 084, block 085, block 086, block 087, block 092, block 093, block 094; and the following blocks in voting district (000140), tract 0305.00, block group 2, in Harvey county: block 159, block 172, block 173, block 174, block 218, block 219, block 220, block 221, block 222, block 223, block 224, block 225, block 226, block 227, block 228, block 229, block 230, block 231, block 233, block 236; and the following blocks in voting district (000140), tract 0306.01, block group 2, in Harvey county: block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 040, block 041, block 042, block 044; and the following voting districts in Harvey county: (00022W); and the following blocks in voting district (000240), tract 0301.00, block group 4, in Harvey county: block 014, block 046, block 047; and the following blocks in voting district (000240), tract 0302.00, block group 5, in Harvey county: block 037, block 038; and the following blocks in voting district (000270), tract 0301.00, block group 4, in Harvey county: block 011, block 012, block 013; and the following blocks in voting district (000270), tract 0302.00, block group 5, in Harvey county: block 000; and the following blocks in voting district (00027B), tract 0301.00, block group 4, in Harvey county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 009, block 016, block 017, block 018, block 019; and the following blocks in voting district (00027B), tract 0305.00, block group 3, in Harvey county: block 154, block 155; and the following voting districts in Harvey county: (000280), (00028A); and the following blocks in voting district (000310), tract 0306.01, block group 2, in Harvey county:

block 045, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 071, block 072, block 073, block 074, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 131, block 133, block 134, block 135, block 144, block 145, block 146, block 147, block 148, block 149, block 150; and the following blocks in voting district (000310), tract 0306.01, block group 3, in Harvey county: block 001, block 002, block 008, block 016, block 017, block 018, block 019, block 020, block 061; and the following voting districts in Harvey county: (000320), (190010), (900010), (900030); and the following voting districts in McPherson county: (000030), (000290), (000300), (000340), (000360); and the following voting districts in Marion county: (000020), (000090), (000150), (00016C), (000170), (000180), (000230), (000260), (000270), (000280), (000300), (000310), (900010), (900020).

Sec. 123. Representative district 75 shall consist of the following blocks in voting district (000070), tract 0206.01, block group 1, in Butler county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 042, block 043, block 044, block 045, block 050, block 064, block 065, block 066, block 067, block 069, block 070, block 071, block 072, block 073, block 074, block 076, block 077, block 078, block 080, block 081, block 082; and the following blocks in voting district (000070), tract 0206.01, block group 3, in Butler county: block 051, block 052, block 053, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 064, block 065, block 066, block 067, block 068, block 076, block 077, block 078, block 080, block 081, block 082, block 083, block 084; and the following blocks in voting district (000070), tract 0206.02, block group 2, in Butler county: block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 095; and the following voting districts in Butler county: (000100), (000120), (00014A), (00016A), (00016B), (00016C), (000190), (000220), (000240), (000250), (000280), (000320), (000330), (000350); and the following blocks in voting district (000360), tract 0201.01, block group 2, in Butler county: block 136, block 138, block 139, block 140, block 141, block 154, block 159, block 160, block 162, block 165, block 166, block 167, block 168, block 176, block 177, block 178, block 179, block 180, block 181, block 182, block 183, block 184, block 185, block 186, block 187, block

188, block 189, block 190, block 191, block 192, block 193, block 194, block 195, block 198, block 199, block 200, block 201, block 202, block 203, block 204, block 205, block 207, block 210, block 211, block 212, block 214, block 215, block 218, block 219, block 220, block 221, block 222, block 223, block 224, block 243, block 247, block 249, block 250; and the following blocks in voting district (000360), tract 0201.02, block group 1, in Butler county: block 000; and the following blocks in voting district (000360), tract 0201.02, block group 2, in Butler county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 051, block 054; and the following blocks in voting district (000360), tract 0202.05, block group 2, in Butler county: block 008, block 009; and the following voting districts in Butler county: (000430), (120090), (140080), (140090), (800050), (80030A).

Sec. 124. Representative district 76 shall consist of all of Coffey county; and the following blocks in voting district (000030), tract 0005.00, block group 1, in Lyon county: block 007; and the following voting districts in Lyon county: (000040), (000210), (000220), (000230), (000250), (000260); and the following blocks in voting district (00028A), tract 0001.03, block group 1, in Lyon county: block 039; and the following blocks in voting district (00028A), tract 0003.00, block group 6, in Lyon county: block 018; and the following blocks in voting district (00028A), tract 0005.00, block group 1, in Lyon county: block 000, block 029, block 035, block 037, block 038; and the following blocks in voting district (00028A), tract 0005.00, block group 4, in Lyon county: block 025, block 030, block 033, block 034, block 035, block 036; and the following blocks in voting district (00028A), tract 0008.00, block group 3, in Lyon county: block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 178, block 179, block 180, block 181, block 182, block 183, block 184, block 185, block 186, block 188, block 189, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 200, block 203, block 206, block 208, block 226, block 227, block 228, block 229, block 230, block 231, block 232, block 233, block 234, block 235, block 236, block 237, block 238, block 239, block 240, block 241, block 242, block 243, block 244,

block 245, block 246, block 247, block 248, block 249, block 250, block 251, block 254, block 255, block 256, block 257, block 258, block 261, block 262, block 267, block 320, block 324, block 325; and the following voting districts in Lyon county: (000300); and the following blocks in voting district (000310), tract 0008.00, block group 1, in Lyon county: block 000, block 001, block 025, block 026, block 027, block 028, block 029, block 032, block 034, block 035, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 175, block 176, block 177, block 178, block 185; and the following blocks in voting district (000310), tract 0008.00, block group 2, in Lyon county: block 162, block 177; and the following blocks in voting district (000310), tract 0008.00, block group 3, in Lyon county: block 252, block 253, block 265, block 266; and the following voting districts in Lyon county: (000320), (400010), (400020), (400030), (900010); and the following blocks in voting district (000007), tract 0103.00, block group 1, in Osage county: block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 173, block 174, block 175, block 449, block 451, block 452, block 455; and the following blocks in voting district (000007), tract 0104.00, block group 2, in Osage county: block 017, block 061, block 062, block 064, block 066, block 067, block 068; and the following voting districts in Osage county: (000010), (000020), (000030); and the following blocks in voting district (000060), tract 0105.00, block group 1, in Osage county: block 028, block 029, block 071, block 072, block 092, block 093, block 094, block 097, block 098, block 099, block 105, block 106; and the following voting districts in Osage county: (000080), (000090); and the following blocks in voting district (000100), tract 0105.00, block group 1, in Osage county: block 030, block 031, block 032, block 033, block 034, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 062, block 139, block 140, block 141, block 144, block 145, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 156, block 157, block 161, block 162, block 163, block 164; and the following voting districts in Osage county: (000130), (000140), (000150), (000160), (000170), (000180), (000220); and the following blocks in voting district

(000230), tract 0103.00, block group 1, in Osage county: block 076, block 077, block 080, block 081, block 082, block 111, block 112, block 114, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 150, block 154, block 446, block 447; and the following blocks in voting district (000230), tract 0104.00, block group 1, in Osage county: block 001, block 002, block 004, block 005, block 008, block 018; and the following blocks in voting district (000230), tract 0104.00, block group 2, in Osage county: block 048, block 049, block 051, block 071, block 073; and the following voting districts in Osage county: (000240), (900010), (900030), (900040).

Sec. 125. Representative district 77 shall consist of the following voting districts in Butler county: (00001N), (00001O), (00002A), (00002B), (00002C), (000030), (00004A), (00004B), (000050); and the following blocks in voting district (000130), tract 0209.01, block group 1, in Butler county: block 099, block 100; and the following blocks in voting district (000130), tract 0209.01, block group 2, in Butler county: block 079, block 080, block 081; and the following blocks in voting district (000130), tract 0209.03, block group 1, in Butler county: block 000, block 024, block 025, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 067; and the following blocks in voting district (000130), tract 0209.03, block group 2, in Butler county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099; and the following blocks in voting district (000130), tract 0209.03, block group 3, in Butler county: block 042, block 043, block 044, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 111, block 112, block 113, block 114, block 115, block 117, block 118, block 120,

block 121, block 124; and the following blocks in voting district (000340), tract 0209.01, block group 2, in Butler county: block 008, block 009, block 015, block 016, block 017, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 082; and the following blocks in voting district (000340), tract 0209.01, block group 3, in Butler county: block 014, block 015, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 037, block 038, block 039, block 040, block 041, block 042, block 043; and the following blocks in voting district (000340), tract 0209.02, block group 2, in Butler county: block 000, block 002; and the following blocks in voting district (000340), tract 0209.02, block group 3, in Butler county: block 000, block 002, block 003, block 007, block 021; and the following blocks in voting district (000450), tract 0209.01, block group 1, in Butler county: block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 025, block 026, block 027, block 028, block 093, block 094, block 098; and the following blocks in voting district (000450), tract 0209.01, block group 2, in Butler county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 011, block 012, block 013, block 014, block 028, block 029, block 050, block 051, block 052, block 053, block 074, block 075, block 076, block 077, block 078; and the following blocks in voting district (000450), tract 0209.03, block group 1, in Butler county: block 001, block 002; and the following voting districts in Butler county: (120040), (120050); and the following blocks in voting district (140010), tract 0202.06, block group 3, in Butler county: block 032, block 035; and the following blocks in voting district (140020), tract 0202.10, block group 1, in Butler county: block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022; and the following blocks in voting district (140020), tract 0202.10, block group 3, in Butler county: block 047; and the following voting districts in Butler county: (140030), (140040); and the following blocks in voting district (140050), tract 0202.06, block group 3, in Butler county: block 031, block 033, block 034, block 036; and the following blocks in voting district (140050), tract 0202.09, block group 2, in Butler county: block 004, block 005, block 006, block 007, block 008; and the following blocks in voting district (140050), tract 0202.10, block

group 1, in Butler county: block 004, block 012; and the following blocks in voting district (140050), tract 0202.10, block group 3, in Butler county: block 005, block 006, block 007, block 015, block 016, block 021, block 022, block 023, block 024, block 025, block 027, block 028, block 029, block 030, block 031, block 038, block 039, block 041, block 042, block 043, block 046, block 048, block 049, block 050, block 051, block 055; and the following voting districts in Butler county: (140060), (140070), (200010), (200020), (800060), (80010A), (80010B), (80040B), (80070A), (80070B), (80070C), (80070D), (80070E), (80070F).

Sec. 126. Representative district 78 shall consist of the following voting districts in Johnson county: (001030), (001040), (001050); and the following blocks in voting district (001070), tract 0535.08, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 011, block 012; and the following blocks in voting district (001070), tract 0535.08, block group 3, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006; and the following voting districts in Johnson county: (001100), (001320), (001330), (001350), (001380), (001390); and the following blocks in voting district (900600), tract 0535.09, block group 2, in Johnson county: block 017; and the following blocks in voting district (900600), tract 0535.09, block group 4, in Johnson county: block 002, block 004, block 005, block 006, block 010, block 011; and the following voting districts in Johnson county: (900820), (900850); and the following blocks in voting district (900860), tract 0535.59, block group 1, in Johnson county: block 030; and the following blocks in voting district (900860), tract 0535.60, block group 2, in Johnson county: block 008, block 009, block 010, block 012, block 014, block 015, block 016, block 017; and the following blocks in voting district (900860), tract 0535.60, block group 3, in Johnson county: block 013, block 014, block 015, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024; and the following voting districts in Johnson county: (900920), (900930), (901680), (920220), (920590), (920820).

Sec. 127. Representative district 79 shall consist of the following voting districts in Cowley county: (000170); and the following blocks in voting district (000220), tract 4932.00, block group 1, in Cowley county: block 234, block 235, block 247, block 248, block 249, block 250, block 251, block 252, block 253, block 254, block 255, block 256, block 257, block 258, block 259, block 260, block 262, block 263, block 264, block 265, block 266, block 267, block 270, block 271, block 272, block 273, block 274, block 275, block 276, block 277, block 278, block 327, block 328, block 329, block 330, block 331, block 332, block 333, block 334, block 335, block 336, block 337, block 338, block 339, block 355, block 356, block 357, block 358, block 359, block 360, block 361, block 362, block

363, block 395, block 396, block 397, block 398, block 433, block 434, block 435, block 436, block 450, block 454, block 455, block 456, block 465; and the following blocks in voting district (000220), tract 4932.00, block group 2, in Cowley county: block 180, block 181, block 201; and the following voting districts in Cowley county: (000260), (000270), (000300), (000320), (000390), (000400), (000440), (000450), (000460), (000470), (000480), (000490), (000500), (00051A), (00051B), (000520), (00053A), (000540), (000550), (00055B), (000560), (000570), (00057A), (900010), (900070); and the following voting districts in Sumner county: (000020), (00002A), (00002B); and the following blocks in voting district (000080), tract 9622.00, block group 2, in Sumner county: block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 027, block 028, block 029, block 030, block 037, block 038, block 047, block 048, block 234; and the following blocks in voting district (000080), tract 9622.00, block group 3, in Sumner county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 011; and the following blocks in voting district (000080), tract 9622.00, block group 4, in Sumner county: block 000, block 001, block 002; and the following blocks in voting district (000080), tract 9622.00, block group 5, in Sumner county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088; and the following blocks in voting district (000110), tract 9623.00, block group 1, in Sumner county: block 027, block 034, block 037, block 039, block 040, block 084, block 085, block 088, block 089, block 090, block 091, block 156, block 157, block 158, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 178, block 179, block 180, block 181, block 182, block 391, block 392, block 393, block 394, block 395, block 397, block 401; and the following blocks in voting district (000120), tract 9622.00, block group 5, in Sumner county: block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 089, block 090, block 091, block 235; and the following blocks in voting district (000140), tract 9621.00, block group 5, in Sumner county: block 021, block 022,

block 023, block 026, block 027, block 028, block 029, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 049, block 050, block 051, block 052, block 053, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 142, block 143, block 144, block 153, block 155, block 156; and the following voting districts in Sumner county: (000170), (000180); and the following blocks in voting district (000190), tract 9623.00, block group 1, in Sumner county: block 025, block 026, block 167, block 168, block 169, block 170; and the following voting districts in Sumner county: (000200), (000230), (000240), (000250), (000270), (000300); and the following blocks in voting district (000310), tract 9626.00, block group 2, in Sumner county: block 336; and the following voting districts in Sumner county: (120070); and the following blocks in voting district (120120), tract 9624.00, block group 2, in Sumner county: block 005, block 018, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 073, block 074, block 075, block 079, block 083; and the following blocks in voting district (120120), tract 9624.00, block group 3, in Sumner county: block 010; and the following voting districts in Sumner county: (900020), (900030), (900060).

Sec. 128. Representative district 80 shall consist of the following voting districts in Cowley county: (00001A), (00001B), (00001C), (000020), (000030), (000040), (000050), (00005A), (00006A), (00006B), (000070), (000080), (000090), (000100), (000110), (000120), (00013A), (000140), (000150); and the following blocks in voting district (000200), tract 4941.00, block group 2, in Cowley county: block 030; and the following blocks in voting district (000210), tract 4933.00, block group 1, in Cowley county: block 116, block 122, block 123, block 129, block 130; and the following blocks in voting district (000210), tract 4937.00, block group 1, in Cowley county: block 039, block 049; and the following blocks in voting district (000210), tract 4939.00, block group 1, in Cowley county: block 010, block 015, block 016, block 017, block 022, block 024, block 025, block 026, block 032, block 033, block 036, block 038, block 046, block 047, block 048, block 049, block 051, block 052, block 064, block 066, block 068, block 077, block 078, block 079, block 080, block 081; and the following blocks in voting district (000210), tract 4941.00, block group 1, in Cowley county: block 031, block 033, block 035, block 036;

and the following blocks in voting district (000210), tract 4941.00, block group 2, in Cowley county: block 000, block 002, block 028, block 029; and the following voting districts in Cowley county: (00041A), (00041B), (00042A), (900020), (900030), (900040), (900050), (900060); and the following voting districts in Sumner county: (000010); and the following blocks in voting district (000110), tract 9623.00, block group 1, in Sumner county: block 154, block 155, block 176, block 177, block 183, block 184, block 198, block 199, block 200, block 201, block 202, block 203, block 204, block 205, block 206, block 208, block 209, block 210, block 211, block 212, block 213, block 214, block 215, block 231, block 232; and the following voting districts in Sumner county: (000130), (000150), (000160); and the following blocks in voting district (000190), tract 9623.00, block group 1, in Sumner county: block 009, block 010, block 011, block 012, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 171, block 172, block 173, block 174, block 175, block 185, block 186, block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 194, block 195, block 196, block 197, block 207, block 241, block 242, block 243, block 244, block 245, block 246, block 253, block 400; and the following voting districts in Sumner county: (000280); and the following blocks in voting district (000310), tract 9626.00, block group 2, in Sumner county: block 108, block 109, block 110, block 114, block 115, block 116, block 117, block 118, block 121, block 122, block 123, block 124, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 168, block 169, block 170, block 171, block 172, block 176, block 177, block 178, block 179, block 180, block 201, block 202, block 203, block 204, block 205; and the following voting districts in Sumner county: (000320), (000340), (000350), (000360), (000370), (00037A), (000380), (000390), (000400), (00041A); and the following blocks in voting district (120120), tract 9624.00, block group 2, in Sumner county: block 003, block 004, block 067, block 068, block 069, block 070, block 082; and the following blocks in voting district (120120), tract 9624.00, block group 3, in Sumner county: block 009; and the following voting districts in Sumner county: (120130), (12013A), (900010).

Sec. 129. Representative district 81 shall consist of the following blocks in voting district (120190), tract 0098.03, block group 3, in Sedgwick county: block 001, block 002, block 003, block 004, block 006; and the following voting districts in Sedgwick county: (120210), (120220), (120310); and the following blocks in voting district (120510), tract 0100.05, block group 3, in Sedgwick county: block 007, block 008, block 012, block 013; and the following voting districts in Sedgwick county: (130140), (130150),

(130620), (130630), (140010), (500830); and the following blocks in voting district (500840), tract 0059.00, block group 1, in Sedgwick county: block 012, block 014, block 015, block 019, block 020; and the following blocks in voting district (500840), tract 0061.00, block group 1, in Sedgwick county: block 007, block 008, block 009, block 012, block 020; and the following blocks in voting district (500840), tract 0061.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014; and the following blocks in voting district (500840), tract 0061.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022; and the following blocks in voting district (500870), tract 0059.00, block group 1, in Sedgwick county: block 011; and the following blocks in voting district (500870), tract 0061.00, block group 3, in Sedgwick county: block 005; and the following voting districts in Sedgwick county: (502260), (502270), (502280), (502290); and the following blocks in voting district (502570), tract 0100.06, block group 1, in Sedgwick county: block 016, block 017, block 018, block 019, block 020, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 055, block 057, block 058, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071; and the following blocks in voting district (502570), tract 0100.07, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 039, block 041, block 042, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074; and the following blocks in voting district (502580), tract 0066.00, block group 2, in Sedgwick county: block 001, block 002, block 019, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 062, block 063, block 064, block 065, block 068; and the following blocks in voting district (502580), tract 0100.03, block group 1, in Sedgwick county: block 026; and the following voting districts in Sedgwick county: (502610); and the following blocks in voting district (503650), tract

0058.00, block group 1, in Sedgwick county: block 000, block 010, block 011; and the following blocks in voting district (503650), tract 0058.00, block group 4, in Sedgwick county: block 000, block 001, block 002, block 005, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024; and the following blocks in voting district (503650), tract 0059.00, block group 1, in Sedgwick county: block 022; and the following blocks in voting district (503650), tract 0061.00, block group 1, in Sedgwick county: block 021, block 022; and the following blocks in voting district (503650), tract 0066.00, block group 1, in Sedgwick county: block 002, block 022, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032; and the following blocks in voting district (503650), tract 0066.00, block group 2, in Sedgwick county: block 004, block 005, block 006, block 038, block 039, block 040, block 041, block 043, block 044, block 045, block 048, block 049, block 050, block 051, block 052, block 061, block 069; and the following blocks in voting district (503650), tract 0100.07, block group 1, in Sedgwick county: block 015, block 016.

Sec. 130. Representative district 82 shall consist of the following blocks in voting district (120190), tract 0098.01, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027; and the following blocks in voting district (120190), tract 0098.01, block group 3, in Sedgwick county: block 000, block 001, block 003, block 004, block 007, block 008, block 009, block 010, block 014, block 016, block 018, block 070; and the following voting districts in Sedgwick county: (120200), (120230), (120240), (120250), (120260), (120270), (120280), (120530), (130640), (130650), (130660), (130670), (131210), (131220), (131230), (131240), (131500), (131510), (131520), (131530), (140060), (502400), (503180), (503190), (503700), (503740), (700590); and the following blocks in voting district (000140), tract 9621.00, block group 5, in Sumner county: block 000, block 001, block 002, block 003, block 007, block 016, block 017, block 018, block 019, block 020, block 024, block 025, block 030, block 031, block 032, block 033, block 034, block 045, block 046, block 047, block 055; and the following voting districts in Sumner county: (000220), (120030), (12003A), (120050), (900040), (900050).

Sec. 131. Representative district 83 shall consist of the following voting districts in Sedgwick county: (120040), (120070); and the following blocks in voting district (120440), tract 0067.00, block group 1, in Sedgwick county: block 016; and the following voting districts in Sedgwick county: (130010), (130040); and the following blocks in voting district (500090),

tract 0010.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019; and the following blocks in voting district (500090), tract 0010.00, block group 4, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014; and the following blocks in voting district (500090), tract 0075.00, block group 2, in Sedgwick county: block 024, block 025, block 026, block 028, block 029, block 030; and the following blocks in voting district (500090), tract 0076.00, block group 2, in Sedgwick county: block 005, block 006, block 007, block 008, block 013, block 014, block 020, block 021, block 022, block 023, block 024, block 025; and the following voting districts in Sedgwick county: (500110), (500360); and the following blocks in voting district (500380), tract 0070.00, block group 3, in Sedgwick county: block 004, block 005, block 023; and the following blocks in voting district (500790), tract 0035.00, block group 1, in Sedgwick county: block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021; and the following blocks in voting district (500790), tract 0036.00, block group 1, in Sedgwick county: block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following blocks in voting district (500790), tract 0036.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011; and the following blocks in voting district (500790), tract 0036.00, block group 3, in Sedgwick county: block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following blocks in voting district (500790), tract 0036.00, block group 4, in Sedgwick county: block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026; and the following blocks in voting district (500790), tract 0063.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014; and the following voting districts in Sedgwick county: (500800), (500810); and the following blocks in voting district (500820), tract 0067.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 014, block 015; and the following blocks in voting district (500820), tract 0068.00, block group 2, in Sedgwick county: block 013, block 014, block 015, block 016, block 021, block 022, block

023, block 024, block 025, block 026, block 027, block 028, block 029; and the following blocks in voting district (500820), tract 0068.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007; and the following voting districts in Sedgwick county: (503030).

Sec. 132. Representative district 84 shall consist of the following voting districts in Sedgwick county: (130020), (130030), (500060), (500080); and the following blocks in voting district (500090), tract 0010.00, block group 1, in Sedgwick county: block 010; and the following blocks in voting district (500090), tract 0010.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 005, block 006, block 007, block 008, block 009, block 010, block 013, block 014, block 015, block 016, block 017, block 018, block 020, block 021; and the following voting districts in Sedgwick county: (500130), (500140), (500160); and the following blocks in voting district (500790), tract 0035.00, block group 1, in Sedgwick county: block 000, block 006, block 007, block 008; and the following blocks in voting district (500790), tract 0036.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003; and the following blocks in voting district (500790), tract 0036.00, block group 4, in Sedgwick county: block 000, block 003, block 004, block 005, block 006, block 007, block 008; and the following blocks in voting district (501960), tract 0007.00, block group 2, in Sedgwick county: block 004.

Sec. 133. Representative district 85 shall consist of the following blocks in voting district (000070), tract 0206.01, block group 1, in Butler county: block 040, block 041, block 046, block 047, block 048, block 049, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 068, block 075, block 079; and the following voting districts in Sedgwick county: (120050), (120390), (120420), (130070), (130080), (130160), (131400), (131410), (131420), (131430), (140070), (190140), (500220), (500470), (500480), (500490), (500500); and the following blocks in voting district (500530), tract 0101.15, block group 1, in Sedgwick county: block 032, block 033; and the following blocks in voting district (500530), tract 0101.15, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 017, block 018, block 021, block 022; and the following blocks in voting district (500530), tract 0101.16, block group 1, in Sedgwick county: block 040, block 041, block 060, block 061, block 080, block 081, block 082; and the following blocks in voting district (500540), tract 0101.15, block group 1, in Sedgwick county: block 019, block 026, block 027, block 028, block 029, block 030, block 031, block 034, block 035, block 036, block 062, block 063; and the following blocks in voting district (500540), tract 0101.16, block group 1, in Sedgwick county: block

042, block 047, block 048, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 062, block 063, block 064; and the following voting districts in Sedgwick county: (502240), (503530).

Sec. 134. Representative district 86 shall consist of the following voting districts in Sedgwick county: (120020), (120060), (500010), (500050), (500740), (500750), (500760), (500770), (500780); and the following blocks in voting district (500820), tract 0064.00, block group 1, in Sedgwick county: block 000, block 001, block 002; and the following blocks in voting district (500820), tract 0064.00, block group 2, in Sedgwick county: block 000, block 001, block 002; and the following blocks in voting district (500820), tract 0067.00, block group 1, in Sedgwick county: block 005, block 006, block 007, block 008, block 011; and the following blocks in voting district (500820), tract 0067.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017.

Sec. 135. Representative district 87 shall consist of the following voting districts in Sedgwick county: (120430); and the following blocks in voting district (130100), tract 0072.01, block group 1, in Sedgwick county: block 000, block 022; and the following blocks in voting district (130100), tract 0072.07, block group 1, in Sedgwick county: block 000; and the following blocks in voting district (130100), tract 0100.02, block group 2, in Sedgwick county: block 048; and the following voting districts in Sedgwick county: (131110), (131120), (131140), (131150), (131190), (170010), (500370), (500420), (500430), (500440), (500450), (500460); and the following blocks in voting district (500530), tract 0101.15, block group 1, in Sedgwick county: block 047, block 048; and the following blocks in voting district (500530), tract 0101.15, block group 3, in Sedgwick county: block 009; and the following blocks in voting district (500540), tract 0072.01, block group 2, in Sedgwick county: block 007; and the following blocks in voting district (500540), tract 0101.15, block group 1, in Sedgwick county: block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 046, block 051, block 052, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061; and the following blocks in voting district (500540), tract 0101.15, block group 2, in Sedgwick county: block 023, block 024, block 025, block 026, block 027, block 031, block 032, block 033, block 034, block 035, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 047, block 048, block 049, block 050, block 051; and the following blocks in voting district (500540), tract 0101.15, block group 3, in Sedgwick county: block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 019, block 020; and the following blocks in voting

district (500560), tract 0072.01, block group 1, in Sedgwick county: block 003; and the following blocks in voting district (500560), tract 0072.01, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 012, block 013, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 025, block 026, block 027, block 030; and the following blocks in voting district (500560), tract 0072.01, block group 3, in Sedgwick county: block 000, block 009, block 010, block 012, block 016, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053; and the following voting districts in Sedgwick county: (500570); and the following blocks in voting district (500710), tract 0101.15, block group 1, in Sedgwick county: block 066, block 067, block 068; and the following voting districts in Sedgwick county: (503070), (503120).

Sec. 136. Representative district 88 shall consist of the following voting districts in Butler county: (00009F), (00009G); and the following blocks in voting district (000340), tract 0209.01, block group 3, in Butler county: block 003, block 004, block 005, block 006, block 007; and the following blocks in voting district (140010), tract 0202.06, block group 1, in Butler county: block 012, block 013, block 017; and the following blocks in voting district (140010), tract 0202.06, block group 2, in Butler county: block 008; and the following blocks in voting district (140020), tract 0202.10, block group 2, in Butler county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 011, block 012, block 016, block 018; and the following blocks in voting district (140050), tract 0202.10, block group 2, in Butler county: block 014, block 015, block 017; and the following voting districts in Sedgwick county: (120030), (120320); and the following blocks in voting district (120380), tract 0100.01, block group 1, in Sedgwick county: block 040, block 041, block 042, block 044, block 045, block 047, block 050, block 051, block 054; and the following blocks in voting district (120380), tract 0100.02, block group 1, in Sedgwick county: block 026, block 027, block 036, block 037; and the following voting districts in Sedgwick county: (120410); and the following blocks in voting district (120440), tract 0066.00, block group 1, in Sedgwick county: block 000, block 001; and the following blocks in voting district (120440), tract 0067.00, block group 1, in Sedgwick county: block 017; and the following blocks in voting district (120440), tract 0070.00, block group 3, in Sedgwick county: block 014, block 015; and the following blocks in voting district (120440), tract 0072.05, block group 1, in Sedgwick county: block 007; and the following voting districts in Sedgwick county: (130090), (130840), (131170), (131180); and the following blocks in voting district (500380), tract 0070.00,

block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 016, block 017; and the following blocks in voting district (500380), tract 0071.02, block group 1, in Sedgwick county: block 004, block 005; and the following blocks in voting district (500380), tract 0072.05, block group 1, in Sedgwick county: block 003, block 004, block 005, block 006, block 008; and the following blocks in voting district (500380), tract 0072.06, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024; and the following blocks in voting district (500380), tract 0072.06, block group 2, in Sedgwick county: block 000, block 001; and the following blocks in voting district (500380), tract 0100.03, block group 1, in Sedgwick county: block 000; and the following voting districts in Sedgwick county: (500390), (500400), (500410), (500580); and the following blocks in voting district (500590), tract 0100.01, block group 1, in Sedgwick county: block 033, block 034, block 035, block 036, block 037, block 046, block 048, block 049, block 052, block 053; and the following blocks in voting district (500590), tract 0100.02, block group 1, in Sedgwick county: block 028, block 031, block 032, block 033, block 034, block 035; and the following blocks in voting district (500820), tract 0066.00, block group 1, in Sedgwick county: block 004; and the following blocks in voting district (500820), tract 0067.00, block group 1, in Sedgwick county: block 004; and the following blocks in voting district (500820), tract 0070.00, block group 3, in Sedgwick county: block 018, block 019, block 020, block 021, block 022; and the following blocks in voting district (502570), tract 0100.06, block group 1, in Sedgwick county: block 000, block 001, block 005, block 006, block 007, block 008, block 012, block 013, block 014, block 015, block 021, block 029, block 033, block 034, block 054, block 072; and the following blocks in voting district (502580), tract 0066.00, block group 2, in Sedgwick county: block 066, block 067; and the following blocks in voting district (502580), tract 0100.03, block group 1, in Sedgwick county: block 025; and the following voting districts in Sedgwick county: (600010).

Sec. 137. Representative district 89 shall consist of the following blocks in voting district (120330), tract 0101.13, block group 2, in Sedgwick county: block 001, block 009, block 010, block 029, block 030, block 031, block 034; and the following voting districts in Sedgwick county: (120790), (130050), (130940), (130950), (131080), (131090), (140030), (140050), (190010), (500120), (500170), (500180), (500190), (500200), (500210), (500230), (500240), (500260); and the following blocks in voting district (500280), tract 0101.13, block group 2, in Sedgwick county: block

022, block 025, block 026, block 035, block 041, block 042, block 043, block 051, block 053, block 055, block 056, block 057, block 063, block 065; and the following blocks in voting district (502220), tract 0101.11, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013; and the following blocks in voting district (502220), tract 0101.11, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 009; and the following blocks in voting district (502220), tract 0101.11, block group 4, in Sedgwick county: block 000, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024; and the following blocks in voting district (502220), tract 0101.13, block group 2, in Sedgwick county: block 000; and the following voting districts in Sedgwick county: (502230), (502830).

Sec. 138. Representative district 90 shall consist of the following voting districts in Sedgwick county: (120110), (120460), (120470), (120480), (130430), (130700), (130710), (130720), (130730), (130740), (130750), (130760), (130770), (130780), (130790); and the following blocks in voting district (130800), tract 0102.02, block group 2, in Sedgwick county: block 090, block 101, block 103; and the following voting districts in Sedgwick county: (131370), (131390), (131540), (131550), (131560), (131570), (131580), (180030), (190030); and the following blocks in voting district (501480), tract 0103.01, block group 1, in Sedgwick county: block 003, block 006, block 007; and the following blocks in voting district (501480), tract 0103.01, block group 2, in Sedgwick county: block 002, block 005, block 006, block 007, block 020; and the following blocks in voting district (501500), tract 0103.01, block group 3, in Sedgwick county: block 000, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 019, block 020, block 021, block 022; and the following voting districts in Sedgwick county: (501680), (502480); and the following blocks in voting district (502960), tract 0102.01, block group 1, in Sedgwick county: block 038; and the following blocks in voting district (503290), tract 0103.02, block group 1, in Sedgwick county: block 006, block 009, block 010; and the following blocks in voting district (503290), tract 0103.02, block group 3, in Sedgwick county: block 010, block 011, block 017, block 024, block 025, block 026, block 027, block 060, block 061; and the following blocks in voting district (503400), tract 0102.02, block group 2, in Sedgwick county: block 009, block 010, block 011, block 060, block 061, block 063, block 064, block 065, block 066, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 082, block 085, block 086, block 089, block 091, block

092, block 093, block 094, block 095; and the following blocks in voting district (503400), tract 0102.02, block group 3, in Sedgwick county: block 048, block 049, block 058, block 059, block 060; and the following blocks in voting district (503800), tract 0102.01, block group 3, in Sedgwick county: block 001, block 002, block 003; and the following blocks in voting district (503800), tract 0102.02, block group 1, in Sedgwick county: block 000, block 001, block 002, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 081, block 083, block 084, block 085, block 093, block 095, block 096, block 097, block 098, block 099, block 100, block 103, block 104; and the following blocks in voting district (503800), tract 0102.02, block group 4, in Sedgwick county: block 000; and the following voting districts in Sedgwick county: (700010); and the following blocks in voting district (700210), tract 0103.01, block group 1, in Sedgwick county: block 004, block 005; and the following blocks in voting district (700210), tract 0103.01, block group 2, in Sedgwick county: block 001, block 008, block 009; and the following blocks in voting district (700210), tract 0103.02, block group 1, in Sedgwick county: block 011, block 012, block 013, block 015, block 030, block 032; and the following blocks in voting district (700210), tract 0103.02, block group 3, in Sedgwick county: block 059, block 062; and the following voting districts in Sedgwick county: (700260), (700290), (700310), (700330), (700350), (700390).

Sec. 139. Representative district 91 shall consist of the following voting districts in Sedgwick county: (120150); and the following blocks in voting district (120330), tract 0101.13, block group 1, in Sedgwick county: block 042; and the following blocks in voting district (120340), tract 0081.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 016; and the following voting districts in Sedgwick county: (120350), (120490), (120500), (120540); and the following blocks in voting district (121320), tract 0103.02, block group 4, in Sedgwick county: block 096, block 097; and the following voting districts in Sedgwick county: (130060), (130480), (130490), (130500); and the following blocks in voting district (130800), tract 0102.02, block group 2, in

Sedgwick county: block 096; and the following voting districts in Sedgwick county: (130960), (130970), (130980), (130990), (131010), (131020), (131030), (131040), (131050), (131060), (131070), (131310), (131320), (131330), (131340), (131350), (131360), (131380), (131590), (131600), (150040), (170050), (190050); and the following blocks in voting district (500280), tract 0101.13, block group 2, in Sedgwick county: block 027, block 028, block 036, block 037, block 044, block 046, block 047, block 048, block 049; and the following blocks in voting district (501460), tract 0103.01, block group 1, in Sedgwick county: block 023; and the following blocks in voting district (501460), tract 0103.01, block group 3, in Sedgwick county: block 024, block 025; and the following blocks in voting district (501480), tract 0103.01, block group 1, in Sedgwick county: block 000, block 001, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 024, block 025; and the following blocks in voting district (501480), tract 0103.01, block group 2, in Sedgwick county: block 003, block 010, block 011, block 012, block 014, block 016, block 017, block 018, block 021, block 022, block 023, block 024, block 025; and the following blocks in voting district (501480), tract 0103.01, block group 3, in Sedgwick county: block 001, block 002, block 003, block 004, block 005, block 006; and the following blocks in voting district (501480), tract 0103.02, block group 4, in Sedgwick county: block 087; and the following blocks in voting district (501500), tract 0103.01, block group 3, in Sedgwick county: block 007, block 008, block 026; and the following blocks in voting district (502000), tract 0083.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022; and the following blocks in voting district (502000), tract 0083.00, block group 4, in Sedgwick county: block 000, block 001; and the following voting districts in Sedgwick county: (502030), (502040), (502070); and the following blocks in voting district (502220), tract 0101.13, block group 1, in Sedgwick county: block 013, block 014, block 030; and the following voting districts in Sedgwick county: (502850), (502890), (502900), (502930); and the following blocks in voting district (502960), tract 0081.00, block group 5, in Sedgwick county: block 001, block 003, block 004; and the following blocks in voting district (502960), tract 0101.13, block group 4, in Sedgwick county: block 047, block 048, block 050, block 051; and the following blocks in voting district (503290), tract 0103.02, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004; and the following blocks in voting district (503290), tract 0103.02, block group 3, in Sedgwick county: block 000, block 001; and the following blocks in

voting district (503290), tract 0103.02, block group 4, in Sedgwick county: block 001, block 002, block 003, block 004, block 007, block 008, block 014, block 015, block 016, block 024, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 051, block 052, block 053, block 054, block 092, block 094; and the following voting districts in Sedgwick county: (503370); and the following blocks in voting district (503400), tract 0102.02, block group 2, in Sedgwick county: block 084, block 087, block 088; and the following voting districts in Sedgwick county: (503470), (503490), (503500); and the following blocks in voting district (700210), tract 0103.01, block group 2, in Sedgwick county: block 000, block 015, block 019, block 026, block 027; and the following blocks in voting district (700210), tract 0103.02, block group 1, in Sedgwick county: block 005, block 007, block 008, block 016, block 020, block 021, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 031, block 037; and the following blocks in voting district (700210), tract 0103.02, block group 4, in Sedgwick county: block 067, block 068, block 077, block 081, block 085, block 086, block 093, block 095, block 098, block 099; and the following voting districts in Sedgwick county: (700400).

Sec. 140. Representative district 92 shall consist of the following voting districts in Sedgwick county: (501860), (501870), (501880), (501890), (501900), (501910), (501920), (501940); and the following blocks in voting district (502000), tract 0083.00, block group 1, in Sedgwick county: block 023, block 024, block 025, block 026; and the following blocks in voting district (502000), tract 0083.00, block group 4, in Sedgwick county: block 002, block 003, block 004, block 005, block 006, block 016, block 017; and the following voting districts in Sedgwick county: (502010).

Sec. 141. Representative district 93 shall consist of the following blocks in voting district (120300), tract 0096.05, block group 1, in Sedgwick county: block 011, block 013, block 014, block 015; and the following voting districts in Sedgwick county: (120450); and the following blocks in voting district (130250), tract 0095.10, block group 1, in Sedgwick county: block 014, block 015, block 016, block 017, block 018, block 019, block 020; and the following blocks in voting district (130260), tract 0095.10, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 012, block 013, block 027, block 028; and the following voting districts in Sedgwick county: (130290), (130310), (130580), (130850), (130880), (130890), (130900), (130910), (130920), (130930), (131250), (131260), (131270), (131280), (131290), (131300), (131680), (170030); and the following blocks in voting district (190040), tract 0096.05, block group 2, in Sedgwick county: block 110, block 111; and the following blocks in voting

district (501080), tract 0095.10, block group 1, in Sedgwick county: block 038, block 052; and the following blocks in voting district (501090), tract 0095.10, block group 1, in Sedgwick county: block 039, block 040, block 041, block 042, block 044, block 046; and the following blocks in voting district (501090), tract 0096.05, block group 1, in Sedgwick county: block 000, block 001, block 002; and the following voting districts in Sedgwick county: (502120); and the following blocks in voting district (502140), tract 0095.09, block group 2, in Sedgwick county: block 000, block 001, block 002, block 025, block 026, block 027, block 030, block 031, block 032, block 033, block 034; and the following blocks in voting district (502140), tract 0095.10, block group 1, in Sedgwick county: block 011, block 021, block 022, block 023, block 024, block 025, block 026, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 045, block 047, block 048, block 050, block 051; and the following voting districts in Sedgwick county: (502490); and the following blocks in voting district (502630), tract 0096.05, block group 2, in Sedgwick county: block 112, block 115, block 116; and the following blocks in voting district (502700), tract 0055.02, block group 2, in Sedgwick county: block 013, block 014, block 015, block 016, block 017, block 018, block 020, block 021, block 022; and the following blocks in voting district (502700), tract 0055.02, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 014; and the following voting districts in Sedgwick county: (502730), (502740), (502810), (503170), (503250), (503260); and the following blocks in voting district (503760), tract 0055.02, block group 1, in Sedgwick county: block 007, block 022, block 023, block 027, block 031; and the following blocks in voting district (503760), tract 0055.02, block group 2, in Sedgwick county: block 019, block 023, block 024, block 025, block 028, block 029; and the following blocks in voting district (503760), tract 0055.02, block group 3, in Sedgwick county: block 013; and the following blocks in voting district (503760), tract 0097.00, block group 1, in Sedgwick county: block 022, block 036, block 045, block 046, block 047; and the following blocks in voting district (503760), tract 0097.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046; and the following blocks in voting district (503760), tract 0097.00, block group 4, in Sedgwick county: block 000,

block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 030, block 031, block 032, block 033, block 035, block 036, block 040, block 041, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 059, block 060, block 061, block 062; and the following blocks in voting district (503770), tract 0097.00, block group 1, in Sedgwick county: block 027, block 028, block 030, block 031, block 032, block 033, block 034, block 035, block 037, block 038, block 039, block 040, block 041, block 048, block 049, block 050, block 051; and the following voting districts in Sedgwick county: (503920), (503930), (600340), (800010).

Sec. 142. Representative district 94 shall consist of the following blocks in voting district (130250), tract 0095.11, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 016, block 017, block 018, block 020, block 021, block 022, block 023, block 024, block 025, block 026; and the following blocks in voting district (130250), tract 0095.11, block group 2, in Sedgwick county: block 000, block 001; and the following blocks in voting district (130250), tract 0095.11, block group 4, in Sedgwick county: block 001; and the following voting districts in Sedgwick county: (130420), (130610), (130690), (180010), (190020); and the following blocks in voting district (501060), tract 0095.11, block group 2, in Sedgwick county: block 022; and the following blocks in voting district (501060), tract 0095.11, block group 4, in Sedgwick county: block 000, block 002, block 020, block 021, block 022, block 023, block 024, block 032; and the following blocks in voting district (501080), tract 0095.11, block group 2, in Sedgwick county: block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 021; and the following blocks in voting district (501080), tract 0095.11, block group 4, in Sedgwick county: block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 025, block 026, block 027; and the following blocks in voting district (501090), tract 0095.11, block group 2, in Sedgwick county: block 023; and the following voting districts in Sedgwick county: (501620), (501630), (501640), (501650), (501660); and the following blocks in voting district (501670), tract 0095.07, block group 3, in Sedgwick county: block 001, block 007, block 008, block 009; and the following voting districts in Sedgwick county: (501730), (502160), (502180), (502450), (502470).

Sec. 143. Representative district 95 shall consist of the following voting districts in Sedgwick county: (120130), (130460), (500980), (500990), (501000), (501010), (501020), (501030), (501830).

Sec. 144. Representative district 96 shall consist of the following blocks in voting district (130190), tract 0051.00, block group 2, in Sedgwick county: block 003; and the following blocks in voting district (130190), tract 0051.00, block group 3, in Sedgwick county: block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following blocks in voting district (130190), tract 0051.00, block group 4, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 029, block 030, block 031, block 032; and the following blocks in voting district (130190), tract 0057.00, block group 5, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 014; and the following voting districts in Sedgwick county: (500880), (500890); and the following blocks in voting district (500910), tract 0057.00, block group 1, in Sedgwick county: block 001, block 002, block 003, block 016; and the following blocks in voting district (500910), tract 0057.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 015; and the following blocks in voting district (500910), tract 0059.00, block group 3, in Sedgwick county: block 009, block 010, block 011, block 012; and the following blocks in voting district (501170), tract 0053.00, block group 2, in Sedgwick county: block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021; and the following blocks in voting district (501170), tract 0053.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003; and the following blocks in voting district (501170), tract 0053.00, block group 4, in Sedgwick county: block 000, block 001, block 002; and the following blocks in voting district (501170), tract 0053.00, block group 6, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005; and the following blocks in voting district (501170), tract 0053.00, block group 7, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 010, block 011, block 012, block 013, block 014, block 015; and the following blocks in voting district (501180), tract 0053.00, block group 3, in Sedgwick county: block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014; and the following blocks in voting district (501180), tract 0053.00, block group 4, in Sedgwick county: block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014; and the following blocks in voting district (501180), tract 0053.00,

block group 5, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016; and the following blocks in voting district (501180), tract 0053.00, block group 6, in Sedgwick county: block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020; and the following blocks in voting district (501180), tract 0054.02, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009; and the following voting districts in Sedgwick county: (501200); and the following blocks in voting district (501210), tract 0054.02, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007; and the following blocks in voting district (501210), tract 0054.02, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 046.

Sec. 145. Representative district 97 shall consist of the following voting districts in Sedgwick county: (120100); and the following blocks in voting district (130190), tract 0051.00, block group 1, in Sedgwick county: block 010; and the following blocks in voting district (130190), tract 0051.00, block group 3, in Sedgwick county: block 000, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009; and the following voting districts in Sedgwick county: (130230), (130240), (130300), (130320), (130330), (130340), (130350), (130360), (130370), (130380), (130400), (130410); and the following blocks in voting district (131460), tract 0054.01, block group 2, in Sedgwick county: block 005, block 011, block 024; and the following voting districts in Sedgwick county: (131610), (131620), (131630), (131640), (131650), (131660), (131670), (140080), (170020); and the following blocks in voting district (501060), tract 0092.00, block group 2, in Sedgwick county: block 004, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 029, block 030, block 031, block 032, block 034, block 035, block 037, block 038, block 040, block 041, block 042, block 045, block 046, block 047, block 048, block 049, block 059, block 060, block 064, block 065, block 066, block 067, block 070, block 071, block 072; and the following blocks in voting district (501060), tract 0095.11, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012; and the following blocks in voting district (501060),

tract 0095.11, block group 4, in Sedgwick county: block 003, block 004, block 005, block 006, block 007, block 008, block 028, block 029, block 030, block 031; and the following blocks in voting district (501060), tract 0096.05, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 008, block 009, block 010, block 011, block 012, block 016, block 017, block 018, block 020, block 021, block 022, block 023, block 024, block 025, block 028, block 030, block 032, block 036, block 043, block 044, block 047, block 048, block 056, block 061, block 062, block 065, block 067, block 069, block 072, block 073, block 074; and the following blocks in voting district (501090), tract 0096.05, block group 2, in Sedgwick county: block 015; and the following voting districts in Sedgwick county: (501110), (501150), (501160); and the following blocks in voting district (501170), tract 0053.00, block group 6, in Sedgwick county: block 006, block 007; and the following blocks in voting district (501170), tract 0053.00, block group 7, in Sedgwick county: block 006, block 007, block 008, block 009, block 016, block 017; and the following blocks in voting district (501180), tract 0091.00, block group 4, in Sedgwick county: block 000; and the following blocks in voting district (501210), tract 0054.01, block group 1, in Sedgwick county: block 039, block 040, block 041, block 075; and the following voting districts in Sedgwick county: (501220), (502440), (503940), (503990).

Sec. 146. Representative district 98 shall consist of the following voting districts in Sedgwick county: (120080), (120090), (120180); and the following blocks in voting district (120510), tract 0100.05, block group 3, in Sedgwick county: block 014, block 015, block 016, block 017, block 018, block 019, block 026, block 027, block 028, block 029; and the following voting districts in Sedgwick county: (120520), (130200), (130210), (130220), (130390), (130860), (130870), (131440), (131450); and the following blocks in voting district (131460), tract 0054.02, block group 3, in Sedgwick county: block 039, block 042, block 043; and the following voting districts in Sedgwick county: (131470), (131480), (131490), (170060); and the following blocks in voting district (190040), tract 0055.01, block group 3, in Sedgwick county: block 002, block 009, block 010; and the following blocks in voting district (500840), tract 0059.00, block group 1, in Sedgwick county: block 013, block 016, block 017, block 018, block 025; and the following blocks in voting district (500870), tract 0039.00, block group 2, in Sedgwick county: block 000, block 001, block 013, block 014; and the following blocks in voting district (500870), tract 0059.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010; and the following blocks in voting district (500870), tract 0060.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block

003, block 004, block 005, block 006, block 007, block 013, block 014, block 015, block 016, block 017; and the following blocks in voting district (500870), tract 0060.00, block group 3, in Sedgwick county: block 000, block 004, block 005, block 009, block 010, block 013; and the following blocks in voting district (500870), tract 0060.00, block group 5, in Sedgwick county: block 009, block 019, block 020, block 021, block 022; and the following blocks in voting district (500870), tract 0061.00, block group 3, in Sedgwick county: block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014; and the following voting districts in Sedgwick county: (500900); and the following blocks in voting district (500910), tract 0056.00, block group 1, in Sedgwick county: block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 032; and the following blocks in voting district (500910), tract 0056.00, block group 2, in Sedgwick county: block 001, block 002, block 007, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 028, block 029, block 030, block 032, block 033, block 037, block 038, block 041, block 044, block 047, block 052; and the following blocks in voting district (500910), tract 0056.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 013, block 014, block 015, block 016, block 017, block 018, block 020; and the following voting districts in Sedgwick county: (500940); and the following blocks in voting district (501210), tract 0054.02, block group 3, in Sedgwick county: block 033, block 041; and the following voting districts in Sedgwick county: (501320); and the following blocks in voting district (502630), tract 0054.01, block group 2, in Sedgwick county: block 041; and the following blocks in voting district (502630), tract 0055.01, block group 2, in Sedgwick county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015; and the following blocks in voting district (502630), tract 0055.01, block group 3, in Sedgwick county: block 003, block 004, block 005, block 006, block 007, block 008, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following voting districts in Sedgwick county: (502650), (502660); and the following blocks in voting district (502700), tract 0055.02, block group 2, in Sedgwick county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 034, block 035, block 036; and the following voting districts in Sedgwick county: (503590); and the following blocks in voting district (503650), tract 0058.00, block group 1, in Sedgwick county: block 001, block 002, block 004, block 005, block 006, block 007, block 008, block 009, block 012, block 013, block 014, block 019, block 020, block 025, block 026, block 027; and the following blocks in voting district

(503650), tract 0058.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008; and the following blocks in voting district (503650), tract 0058.00, block group 4, in Sedgwick county: block 003, block 004, block 006, block 007, block 014, block 015, block 016, block 029; and the following blocks in voting district (503650), tract 0059.00, block group 1, in Sedgwick county: block 021, block 023, block 024, block 026, block 039; and the following blocks in voting district (503760), tract 0055.02, block group 2, in Sedgwick county: block 030, block 032, block 037, block 038; and the following blocks in voting district (503760), tract 0097.00, block group 1, in Sedgwick county: block 021; and the following blocks in voting district (503770), tract 0055.02, block group 2, in Sedgwick county: block 000, block 033; and the following blocks in voting district (503770), tract 0097.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 004, block 005, block 006, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 023, block 024, block 025, block 026, block 029, block 042, block 043, block 044, block 052; and the following voting districts in Sedgwick county: (600020).

Sec. 147. Representative district 99 shall consist of the following voting districts in Butler county: (00001A), (00001L), (00009C), (00009H); and the following blocks in voting district (140010), tract 0202.06, block group 1, in Butler county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 014, block 015, block 016; and the following blocks in voting district (140010), tract 0202.06, block group 2, in Butler county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007; and the following blocks in voting district (140010), tract 0202.06, block group 3, in Butler county: block 001, block 003, block 004, block 006, block 007, block 008, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 022, block 024, block 026, block 027, block 029, block 030, block 037; and the following blocks in voting district (140050), tract 0202.06, block group 3, in Butler county: block 000, block 002, block 005, block 009, block 021, block 023, block 028; and the following blocks in voting district (140050), tract 0202.08, block group 1, in Butler county: block 004, block 005; and the following blocks in voting district (140050), tract 0202.08, block group 2, in Butler county: block 000, block 001, block 002, block 004, block 005, block 012, block 016, block 017, block 018; and the following blocks in voting district (140050), tract 0202.09, block group 2, in Butler county: block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 038, block 039, block 057, block 059, block 060, block 065, block 066,

block 067; and the following voting districts in Sedgwick county: (120370); and the following blocks in voting district (120380), tract 0100.02, block group 1, in Sedgwick county: block 025; and the following voting districts in Sedgwick county: (120400), (120900); and the following blocks in voting district (130100), tract 0072.01, block group 1, in Sedgwick county: block 021, block 023; and the following blocks in voting district (130100), tract 0100.02, block group 1, in Sedgwick county: block 003; and the following blocks in voting district (130100), tract 0100.02, block group 2, in Sedgwick county: block 027, block 031, block 033, block 034, block 046; and the following voting districts in Sedgwick county: (130110), (130120), (130130), (131100), (131160); and the following blocks in voting district (500560), tract 0100.02, block group 2, in Sedgwick county: block 014, block 015, block 016, block 017, block 018, block 025, block 026; and the following blocks in voting district (500590), tract 0100.01, block group 1, in Sedgwick county: block 011, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 023, block 024, block 025, block 028, block 029, block 030, block 031, block 032, block 038; and the following blocks in voting district (500590), tract 0100.02, block group 1, in Sedgwick county: block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 029, block 030, block 038; and the following voting districts in Sedgwick county: (500650); and the following blocks in voting district (500710), tract 0101.15, block group 1, in Sedgwick county: block 004, block 005, block 006, block 007, block 008, block 009, block 020, block 021, block 064, block 065; and the following blocks in voting district (500710), tract 0101.15, block group 2, in Sedgwick county: block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 044, block 045, block 046, block 052, block 053.

Sec. 148. Representative district 100 shall consist of the following voting districts in Sedgwick county: (120290), (140020), (501440), (501450); and the following blocks in voting district (501460), tract 0095.14, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 005, block 006, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019; and the following blocks in voting district (501500), tract 0095.15, block group 3, in Sedgwick county: block 000; and the following voting districts in Sedgwick county: (501540), (501550), (501560), (501570), (501580), (501590); and the following blocks in voting district (501670), tract 0095.15, block group 1, in Sedgwick county: block 006, block 007, block 011; and the following blocks in voting district (501670), tract 0095.15,

block group 3, in Sedgwick county: block 001, block 004, block 005, block 006, block 007, block 008, block 009, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following voting districts in Sedgwick county: (502460).

Sec. 149. Representative district 101 shall consist of the following voting districts in Reno county: (000010), (000040); and the following blocks in voting district (000090), tract 0014.00, block group 1, in Reno county: block 012, block 013, block 014, block 015, block 016, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097; and the following blocks in voting district (000090), tract 0014.00, block group 3, in Reno county: block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 158, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 170, block 171, block 172, block 173, block 174, block 175, block 183, block 184, block 185; and the following voting districts in Reno county: (000540), (000650); and the following blocks in voting district (000680), tract 0014.00, block group 1, in Reno county: block 076, block 087; and the following voting districts in Sedgwick county: (100010), (120120), (120160), (120170); and the following blocks in voting district (120300), tract 0095.08, block group 1, in Sedgwick county: block 035; and the following blocks in voting district (130260), tract 0095.09, block group 1, in Sedgwick county: block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 024, block 025, block 026, block 027, block 028; and the following blocks in voting district (130260), tract 0095.09, block group 3, in Sedgwick county: block 004, block 005, block 009, block 014, block 015, block 018, block 019; and the following voting districts in Sedgwick county: (130270), (130280), (130440), (130510), (130520), (130530), (130540),

(130550), (130560), (130570), (130810), (130820), (130830), (170040), (180040), (501740), (502130); and the following blocks in voting district (502140), tract 0095.09, block group 1, in Sedgwick county: block 029, block 030, block 031; and the following blocks in voting district (502140), tract 0095.09, block group 2, in Sedgwick county: block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 017, block 018, block 019, block 020, block 021, block 022, block 024; and the following voting districts in Sedgwick county: (502150), (502200), (502500), (502510), (502560), (503780).

Sec. 150. Representative district 102 shall consist of the following voting districts in Reno county: (000120), (000130), (000140), (000160), (000170), (000180), (000200); and the following blocks in voting district (000240), tract 0005.00, block group 1, in Reno county: block 017, block 019, block 020, block 021, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033; and the following voting districts in Reno county: (000250), (000260), (000270), (000290), (000300), (000310), (000320); and the following blocks in voting district (000330), tract 0011.00, block group 3, in Reno county: block 071; and the following voting districts in Reno county: (000360), (00037A); and the following blocks in voting district (00037B), tract 0008.00, block group 3, in Reno county: block 051, block 052; and the following blocks in voting district (00037B), tract 0014.00, block group 4, in Reno county: block 031, block 032, block 037, block 038, block 039, block 041, block 042, block 043, block 044, block 045, block 047, block 048, block 049; and the following voting districts in Reno county: (000400), (000410); and the following blocks in voting district (00060A), tract 0008.00, block group 3, in Reno county: block 053; and the following blocks in voting district (00060A), tract 0011.00, block group 3, in Reno county: block 072, block 073, block 074, block 075, block 076, block 077; and the following blocks in voting district (00060A), tract 0014.00, block group 4, in Reno county: block 016, block 017, block 020, block 033, block 052, block 053, block 054, block 074; and the following blocks in voting district (000710), tract 0008.00, block group 3, in Reno county: block 054; and the following voting districts in Reno county: (120030), (12005A), (120060), (200010), (200020), (200060).

Sec. 151. Representative district 103 shall consist of the following voting districts in Sedgwick county: (120010), (120140); and the following blocks in voting district (120340), tract 0081.00, block group 2, in Sedgwick county: block 005, block 006, block 007, block 008, block 009, block 010; and the following voting districts in Sedgwick county: (120360), (130170), (130180), (500030), (500040), (500150), (501820); and the following blocks in voting district (501960), tract 0001.00, block group 2,

in Sedgwick county: block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025; and the following blocks in voting district (501960), tract 0001.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016; and the following blocks in voting district (501960), tract 0001.00, block group 4, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following blocks in voting district (501960), tract 0002.00, block group 1, in Sedgwick county: block 000; and the following blocks in voting district (501960), tract 0003.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (501960), tract 0003.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007; and the following blocks in voting district (501960), tract 0004.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005; and the following blocks in voting district (501960), tract 0004.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 026, block 027; and the following blocks in voting district (501960), tract 0004.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 019, block 020, block 021, block 022, block 027, block 043, block 044, block 046; and the following blocks in voting district (501960), tract 0006.00, block group 2, in Sedgwick county: block 000, block 005; and the following blocks in voting district (501960), tract 0007.00, block group 2, in Sedgwick county: block 005; and the following blocks in voting district (501960), tract 0007.00, block group 3, in Sedgwick county: block 013; and the following blocks in voting district (501960), tract 0081.00, block group 2, in Sedgwick county: block 036, block 040, block 041, block 042, block 043, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 064, block 065, block 066; and the following blocks in voting district (501960), tract 0082.00,

block group 2, in Sedgwick county: block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 025, block 026, block 027, block 028, block 029; and the following blocks in voting district (501960), tract 0082.00, block group 4, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following voting districts in Sedgwick county: (501990); and the following blocks in voting district (502000), tract 0081.00, block group 4, in Sedgwick county: block 039, block 045; and the following blocks in voting district (502000), tract 0082.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019.

Sec. 152. Representative district 104 shall consist of the following voting districts in McPherson county: (000170), (000350); and the following voting districts in Reno county: (000150), (000210), (000220), (000230); and the following blocks in voting district (000240), tract 0005.00, block group 1, in Reno county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 018, block 022; and the following voting districts in Reno county: (000280); and the following blocks in voting district (000330), tract 0001.00, block group 3, in Reno county: block 021, block 022, block 025, block 026, block 027, block 028, block 029; and the following blocks in voting district (000330), tract 0002.00, block group 2, in Reno county: block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (000330), tract 0002.00, block group 3, in Reno county: block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028; and the following blocks in voting district (000330), tract 0011.00, block group 3, in Reno county: block 005, block 006, block 016, block 020, block 021, block 022, block 023, block 026, block 027; and the following voting districts in Reno county: (000350), (000380), (00039A), (00039B), (000420), (000430), (000460), (000490), (00055A); and the following blocks in voting district (00060A), tract 0011.00, block group 2, in Reno county: block 023, block 024, block 025; and the following blocks in voting district (00060A), tract 0011.00, block group 3, in Reno county: block 000, block 001, block 002, block 003, block 004, block 008, block 009, block 069; and the following voting districts in Reno county: (00060B), (200030), (200040), (200050), (900010), (900020).

Sec. 153. Representative district 105 shall consist of the following voting districts in Sedgwick county: (121310); and the following blocks in voting district (121320), tract 0095.14, block group 2, in Sedgwick county: block 000; and the following voting districts in Sedgwick county: (121330), (130450), (130470), (130680), (150010), (150020), (150030), (501390), (501400), (501420), (501430), (501850), (501930), (502410).

Sec. 154. Representative district 106 shall consist of all of Jewell county; and all of Marshall county; and all of Republic county; and all of Washington county.

Sec. 155. Representative district 107 shall consist of the following voting districts in Cloud county: (000010), (000030); and the following blocks in voting district (000040), tract 9771.00, block group 2, in Cloud county: block 197, block 198, block 316, block 317, block 318, block 326, block 327, block 328, block 345; and the following blocks in voting district (000040), tract 9774.00, block group 1, in Cloud county: block 240, block 249, block 250, block 251, block 252, block 262; and the following blocks in voting district (000040), tract 9774.00, block group 2, in Cloud county: block 000, block 001, block 044, block 083, block 084, block 085, block 086, block 087, block 090, block 091; and the following voting districts in Cloud county: (00006A), (00006B), (00006C), (000070), (00008A), (00008B), (000090), (000100); and the following blocks in voting district (00011A), tract 9772.00, block group 2, in Cloud county: block 015, block 017, block 018, block 020, block 042, block 043, block 073, block 079, block 080, block 081; and the following voting districts in Cloud county: (00011B), (000140), (000150); and the following blocks in voting district (000200), tract 9771.00, block group 2, in Cloud county: block 027, block 028, block 046, block 047, block 543, block 544; and the following blocks in voting district (000200), tract 9772.00, block group 2, in Cloud county: block 013, block 014; and the following blocks in voting district (000200), tract 9773.00, block group 4, in Cloud county: block 000, block 001, block 002; and the following blocks in voting district (000200), tract 9774.00, block group 1, in Cloud county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 011, block 013, block 100, block 101, block 102, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 113, block 114, block 116, block 258, block 259; and the following voting districts in Cloud county: (000210), (000240), (000250); and the following blocks in voting district (000260), tract 9771.00, block group 2, in Cloud county: block 346, block 355, block 356, block 367, block 368, block 488; and the following blocks in voting district (000260), tract 9774.00, block group 2, in Cloud county: block 088, block 089, block 231, block 238, block 239, block 240, block 268, block 279; and the following voting districts in Cloud county: (000270); and all of Mitchell county; and

all of Ottawa county; and the following blocks in voting district (000030), tract 0002.00, block group 1, in Saline county: block 019, block 020, block 021, block 022; and the following blocks in voting district (000030), tract 0011.00, block group 2, in Saline county: block 008, block 009, block 010, block 031, block 036, block 037, block 038, block 039, block 040, block 041, block 054, block 055, block 056, block 057, block 099; and the following blocks in voting district (000030), tract 0011.00, block group 3, in Saline county: block 000, block 001, block 002, block 003, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 098, block 099, block 101, block 102, block 103, block 104, block 105, block 106; and the following blocks in voting district (000030), tract 0011.00, block group 4, in Saline county: block 000, block 001, block 014, block 015; and the following voting districts in Saline county: (000060); and the following blocks in voting district (000100), tract 0011.00, block group 4, in Saline county: block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 065, block 066, block 072, block 073, block 074, block 088, block 097, block 098, block 099, block 100, block 101; and the following voting districts in Saline county: (000110); and the following blocks in voting district (00012A), tract 0002.00, block group 1, in Saline county: block 007; and the following blocks in voting district (00012A), tract 0011.00, block group 2, in Saline county: block 042, block 045, block 053; and the following blocks in voting district (00013A), tract 0003.00, block group 3, in Saline county: block 005, block 006, block 007, block 014; and the following blocks in voting district (000140), tract 0003.00, block group 2, in Saline county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038; and the following blocks in voting district (000140), tract 0011.00, block group 4, in Saline county: block 095; and the following voting districts in Saline county: (000150), (000160); and the following blocks in voting district (000180), tract 0003.00, block group 4, in Saline county: block 009; and the following blocks in voting district (000180), tract 0003.00, block group 5, in Saline county: block 014, block 015, block 016, block 017; and the following blocks in voting district (000180), tract

0003.00, block group 6, in Saline county: block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014; and the following blocks in voting district (000190), tract 0001.01, block group 3, in Saline county: block 003, block 004; and the following blocks in voting district (00047B), tract 0002.00, block group 1, in Saline county: block 023, block 024, block 028, block 029, block 030, block 032, block 033, block 034, block 038, block 039, block 040, block 065, block 066, block 067; and the following blocks in voting district (00047B), tract 0003.00, block group 1, in Saline county: block 032; and the following blocks in voting district (00047B), tract 0003.00, block group 2, in Saline county: block 016, block 017; and the following blocks in voting district (00047B), tract 0011.00, block group 4, in Saline county: block 016, block 017, block 018, block 061, block 062, block 063, block 064, block 067, block 068, block 069, block 070, block 071, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 092, block 093, block 094, block 134, block 135, block 143; and the following blocks in voting district (000510), tract 0011.00, block group 3, in Saline county: block 081, block 082, block 083, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 132, block 133; and the following blocks in voting district (300010), tract 0011.00, block group 4, in Saline county: block 102, block 136; and the following voting districts in Saline county: (900010), (90001A), (900020).

Sec. 156. Representative district 108 shall consist of the following voting districts in Johnson county: (000530), (000620); and the following blocks in voting district (000650), tract 0524.23, block group 3, in Johnson county: block 000; and the following blocks in voting district (000660), tract 0524.17, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036; and the following blocks in voting district (000660), tract 0524.17, block group 2, in Johnson county: block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019; and the following blocks in voting district (000660), tract 0524.17, block group 3, in Johnson county: block 009; and the following blocks in voting district (000660), tract 9801.00, block group 1, in Johnson county: block 004; and the following blocks in voting district (001420), tract 0529.07, block group 1, in Johnson county: block 001, block 002, block 003, block 004, block 005; and the following blocks in voting district (001450), tract 0529.07, block group 2, in Johnson county: block 006, block 013, block 014; and

the following voting districts in Johnson county: (001490); and the following blocks in voting district (001500), tract 0530.07, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009; and the following blocks in voting district (001500), tract 0530.07, block group 3, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005; and the following voting districts in Johnson county: (001510), (002040), (900450); and the following blocks in voting district (900460), tract 0524.17, block group 1, in Johnson county: block 028; and the following blocks in voting district (900460), tract 0524.22, block group 1, in Johnson county: block 010; and the following blocks in voting district (900460), tract 0524.23, block group 1, in Johnson county: block 007; and the following blocks in voting district (900460), tract 0530.05, block group 1, in Johnson county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024; and the following blocks in voting district (900460), tract 9800.01, block group 1, in Johnson county: block 000, block 001, block 021, block 022, block 023, block 024, block 025, block 026, block 030, block 031, block 032, block 033, block 034, block 043, block 044, block 045, block 046, block 048; and the following voting districts in Johnson county: (900480), (900880), (900890), (920160), (920170), (920180); and the following blocks in voting district (920190), tract 0524.22, block group 3, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007; and the following blocks in voting district (920250), tract 0529.07, block group 2, in Johnson county: block 018, block 019.

Sec. 157. Representative district 109 shall consist of all of Ellsworth county; and all of Lincoln county; and all of Osborne county; and all of Russell county; and all of Smith county.

Sec. 158. Representative district 110 shall consist of the following voting districts in Ellis county: (000010), (000020); and the following blocks in voting district (000030), tract 0726.00, block group 2, in Ellis county: block 236, block 237; and the following voting districts in Ellis county: (000040), (000050), (000080); and the following blocks in voting district (000250), tract 0726.00, block group 2, in Ellis county: block 000, block 001, block 002, block 037, block 038, block 039, block 048, block 049, block 050, block 051, block 057, block 059, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 088, block 136, block 137, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 160, block 178, block 179,

block 180, block 181, block 182, block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 201, block 202, block 203, block 204, block 205, block 206, block 207, block 208, block 209, block 210, block 211, block 213, block 214, block 215, block 216, block 217, block 218, block 219, block 220, block 221, block 222, block 227, block 232, block 238, block 239, block 240, block 241, block 242, block 243, block 244, block 245, block 246, block 250, block 464, block 467, block 468; and the following voting districts in Ellis county: (000280); and the following blocks in voting district (000290), tract 0726.00, block group 2, in Ellis county: block 247, block 248, block 249, block 251, block 252, block 272, block 273, block 274, block 275, block 276, block 277, block 278, block 279, block 280, block 281, block 282, block 283, block 284, block 285, block 286, block 287, block 290, block 291, block 292, block 293, block 294, block 295, block 296, block 297, block 298, block 299, block 300, block 301, block 302, block 303, block 304, block 305, block 306, block 307, block 308, block 309, block 310, block 311, block 312, block 355, block 356, block 357, block 358, block 359, block 360, block 361, block 374, block 459; and the following blocks in voting district (000300), tract 0729.02, block group 1, in Ellis county: block 053, block 054, block 057, block 058, block 059, block 061, block 065, block 067; and the following blocks in voting district (000300), tract 0730.00, block group 1, in Ellis county: block 197, block 199, block 200, block 201, block 202, block 203, block 208, block 222, block 223, block 224, block 238, block 239, block 240, block 241, block 242, block 243, block 244, block 245, block 246, block 247, block 248, block 249, block 250, block 251, block 262, block 375; and the following voting districts in Ellis county: (000310), (120040); and the following blocks in voting district (120050), tract 0726.00, block group 2, in Ellis county: block 190; and the following blocks in voting district (120050), tract 0727.02, block group 3, in Ellis county: block 006, block 007, block 030; and the following blocks in voting district (120050), tract 0728.02, block group 1, in Ellis county: block 012, block 013, block 021, block 041, block 056, block 057, block 060, block 067; and the following voting districts in Ellis county: (120060), (120070); and all of Graham county; and all of Norton county; and all of Phillips county; and all of Rooks county.

Sec. 159. Representative district 111 shall consist of the following blocks in voting district (000030), tract 0726.00, block group 2, in Ellis county: block 234, block 235, block 255, block 256, block 257, block 260, block 261, block 262, block 263, block 265, block 289; and the following blocks in voting district (000030), tract 0727.01, block group 1, in Ellis county: block 042; and the following blocks in voting district (000030), tract 0727.02, block group 1, in Ellis county: block 000, block 001, block

003, block 004, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 029, block 032, block 033, block 035, block 036, block 037, block 038, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056; and the following blocks in voting district (000030), tract 0727.02, block group 2, in Ellis county: block 004, block 033; and the following blocks in voting district (000030), tract 0727.02, block group 3, in Ellis county: block 031, block 032, block 033, block 047, block 050, block 051, block 052, block 055, block 058, block 059, block 060, block 061, block 062; and the following voting districts in Ellis county: (00003A), (000090), (00010A), (000110), (000120), (000130), (000140), (000150), (00016A), (000170), (000180), (00019A), (000200), (00021A), (000220), (000230), (000240); and the following blocks in voting district (000250), tract 0726.00, block group 1, in Ellis county: block 000, block 001, block 078, block 079, block 080; and the following blocks in voting district (000250), tract 0726.00, block group 2, in Ellis county: block 212, block 223, block 224, block 225, block 226, block 228, block 229, block 230, block 231, block 233, block 253, block 254; and the following voting districts in Ellis county: (00026A); and the following blocks in voting district (000290), tract 0726.00, block group 1, in Ellis county: block 016, block 017, block 018, block 051, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112; and the following blocks in voting district (000290), tract 0726.00, block group 2, in Ellis county: block 258, block 259, block 264, block 266, block 267, block 268, block 269, block 270, block 271; and the following blocks in voting district (000300), tract 0728.02, block group 1, in Ellis county: block 083; and the following blocks in voting district (000300), tract 0729.02, block group 1, in Ellis county: block 043, block 045, block 046, block 055, block 056; and the following blocks in voting district (000300), tract 0729.02, block group 2, in Ellis county: block 000, block 001, block 002, block 019; and the following voting districts in Ellis county: (120030); and the following blocks in voting district (120050), tract 0727.01, block group 2, in Ellis county: block 001, block 002; and the following blocks in voting district (120050), tract 0727.02, block group 2, in Ellis county: block 000, block 001; and the following blocks in vot-

ing district (120050), tract 0727.02, block group 3, in Ellis county: block 005, block 009, block 010, block 011, block 012, block 013, block 023, block 024, block 025, block 026, block 027, block 036; and the following blocks in voting district (120050), tract 0728.01, block group 2, in Ellis county: block 000; and the following blocks in voting district (120050), tract 0728.02, block group 1, in Ellis county: block 004, block 005, block 006, block 008, block 009, block 010, block 011, block 016, block 017, block 022, block 023, block 024, block 025, block 030, block 031, block 032, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 044, block 045, block 046, block 047, block 048, block 054, block 055, block 061, block 062, block 063, block 064, block 065, block 066, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 087, block 088, block 089, block 090; and the following voting districts in Ellis county: (900010), (900030), (900040), (900050), (900060), (900070), (900080), (900090), (900100).

Sec. 160. Representative district 112 shall consist of the following voting districts in Barton county: (000010), (000020), (000030), (000040), (000050), (000060), (000080), (000090), (000100), (00011A), (00011B), (000120), (000130), (000140), (000150), (000160), (000170), (000180), (00019A), (00019B), (000200), (000210), (00022A), (00022B), (00022C), (00022E), (00022F), (00023A), (00023B), (00023C), (000240), (000250), (000260), (00027A), (00027B), (000280); and the following blocks in voting district (000290), tract 9711.00, block group 1, in Barton county: block 293, block 294, block 295, block 296, block 297, block 309, block 317, block 318, block 319, block 320, block 321, block 322, block 326, block 327, block 328, block 329, block 330, block 331, block 332, block 333, block 334, block 335, block 336, block 342, block 343, block 344, block 345, block 346, block 351, block 352, block 353, block 354, block 363, block 364, block 365, block 366; and the following voting districts in Barton county: (000300), (000310), (000320), (000340), (000350), (000360), (000370), (000380), (000390), (900010).

Sec. 161. Representative district 113 shall consist of the following voting districts in Barton county: (000070); and the following blocks in voting district (000290), tract 9711.00, block group 1, in Barton county: block 349, block 350, block 355, block 356, block 357, block 358, block 359, block 360, block 361, block 362, block 367, block 368, block 369, block 370, block 371, block 372, block 373, block 374, block 375, block 376, block 377, block 379, block 382, block 387, block 388, block 389, block 390, block 391, block 392, block 393, block 394, block 395, block 396, block 397, block 398, block 399, block 400, block 401, block 402, block 403, block 405, block 406, block 457; and the following blocks in voting district (000290), tract 9711.00, block group 2, in Barton county:

block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075; and the following blocks in voting district (000290), tract 9711.00, block group 3, in Barton county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065; and the following voting districts in Barton county: (000330); and the following voting districts in Pawnee county: (000010), (000030), (000070), (000080), (000090), (000100), (000110), (000120), (000130), (00017A), (00017B), (000190), (000200), (000230), (000240), (000250); and all of Rice county; and all of Rush county; and all of Stafford county.

Sec. 162. Representative district 114 shall consist of all of Kingman county; and the following blocks in voting district (00004A), tract 9688.00, block group 1, in Pratt county: block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 045, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 057, block 062; and the following blocks in voting district (00004A), tract 9688.00, block group 3, in Pratt county: block 000, block 001, block 002, block 022, block 023, block 024, block 025, block 026, block 027, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 076, block 077, block 078, block 079, block 080; and the following

voting districts in Pratt county: (00004C); and the following blocks in voting district (00005A), tract 9687.00, block group 1, in Pratt county: block 036, block 038, block 039, block 041, block 042; and the following voting districts in Pratt county: (000060); and the following blocks in voting district (000070), tract 9686.00, block group 1, in Pratt county: block 015, block 016, block 017, block 023, block 024, block 025, block 053, block 054, block 055, block 060, block 061, block 062, block 110, block 111, block 112, block 118, block 119, block 120, block 189, block 190, block 191, block 192, block 193, block 194, block 204, block 205, block 206, block 207, block 208, block 209, block 210, block 211, block 212, block 213, block 214, block 215, block 216, block 217, block 218, block 219, block 256, block 450, block 451, block 452; and the following blocks in voting district (000110), tract 9686.00, block group 1, in Pratt county: block 384, block 385, block 386, block 387, block 388, block 394, block 395, block 396, block 398, block 399, block 400, block 401, block 402, block 403, block 404, block 405, block 406, block 407, block 408, block 409, block 410, block 411, block 412, block 413, block 414, block 415, block 416, block 417, block 418, block 419, block 420, block 421, block 422, block 423, block 424, block 425, block 426, block 427, block 428, block 429, block 430, block 431, block 432, block 436, block 437, block 442, block 443; and the following blocks in voting district (000110), tract 9686.00, block group 2, in Pratt county: block 203, block 211, block 212, block 213, block 214, block 218, block 219, block 325, block 326, block 327, block 330, block 331, block 332, block 333, block 334, block 335, block 336, block 337, block 338, block 339, block 349, block 350, block 352, block 353, block 354, block 355, block 356, block 357, block 358, block 453, block 454; and the following blocks in voting district (00012A), tract 9686.00, block group 1, in Pratt county: block 203, block 242, block 243, block 244, block 245, block 246, block 247, block 248, block 262, block 263, block 268, block 269, block 270, block 271, block 272, block 273, block 274, block 336, block 337, block 338, block 339, block 340, block 341, block 342, block 343, block 344, block 345, block 346, block 347, block 348, block 349, block 350, block 351, block 353, block 354, block 355, block 356, block 357, block 358, block 359, block 360, block 361, block 362, block 363, block 364, block 365, block 366, block 367, block 368, block 369, block 370, block 371, block 372, block 373, block 374, block 375, block 376, block 377, block 378, block 379, block 380, block 381, block 382, block 383, block 389, block 390, block 391, block 392, block 393, block 397, block 444, block 445, block 446, block 447; and the following blocks in voting district (00012A), tract 9686.00, block group 2, in Pratt county: block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 190, block 191, block 192, block 200, block 201, block 202, block 204, block 205, block 206, block 207, block 208,

block 209, block 210, block 215, block 216, block 217; and the following blocks in voting district (00012A), tract 9687.00, block group 1, in Pratt county: block 000, block 001, block 002, block 003, block 044, block 045; and the following blocks in voting district (00012A), tract 9687.00, block group 2, in Pratt county: block 000, block 001; and the following blocks in voting district (00012A), tract 9688.00, block group 1, in Pratt county: block 000, block 031, block 044, block 046, block 054, block 055, block 056, block 058, block 059, block 060, block 061, block 063; and the following voting districts in Pratt county: (190020), (190030); and the following voting districts in Reno county: (000020), (000030), (000050), (000060), (000070), (000080); and the following blocks in voting district (000090), tract 0014.00, block group 1, in Reno county: block 000, block 001, block 002, block 003, block 007, block 008, block 009, block 010, block 011, block 017; and the following blocks in voting district (000090), tract 0014.00, block group 3, in Reno county: block 079, block 080, block 081; and the following voting districts in Reno county: (000100), (000110); and the following blocks in voting district (00037B), tract 0014.00, block group 4, in Reno county: block 073; and the following voting districts in Reno county: (000440), (000450), (000470), (000480), (000500), (000510), (000520), (000530), (000560), (000570), (000580), (000590); and the following blocks in voting district (00060A), tract 0011.00, block group 3, in Reno county: block 070, block 078; and the following blocks in voting district (00060A), tract 0014.00, block group 4, in Reno county: block 007, block 008, block 009, block 013, block 014, block 015, block 040, block 046, block 050, block 051, block 055, block 056, block 057, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 075, block 076; and the following voting districts in Reno county: (000610), (000620), (000630), (000640), (000660), (000670); and the following blocks in voting district (000680), tract 0014.00, block group 1, in Reno county: block 077; and the following blocks in voting district (000680), tract 0014.00, block group 4, in Reno county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 010, block 011, block 012, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126; and the following blocks in voting district (000680), tract 0015.00, block group 3, in Reno county: block 017, block 018, block 019, block 025, block 026, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045,

block 046, block 047, block 048, block 049, block 050, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066; and the following voting districts in Reno county: (000690), (000700); and the following blocks in voting district (000710), tract 0008.00, block group 3, in Reno county: block 044; and the following blocks in voting district (000710), tract 0013.00, block group 1, in Reno county: block 027, block 028, block 029, block 093, block 094, block 095, block 096; and the following blocks in voting district (000710), tract 0014.00, block group 1, in Reno county: block 004, block 005, block 006, block 039; and the following blocks in voting district (000710), tract 0014.00, block group 3, in Reno county: block 000, block 001, block 002, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 111, block 112, block 113, block 114; and the following blocks in voting district (000710), tract 0014.00, block group 4, in Reno county: block 077, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 112.

Sec. 163. Representative district 115 shall consist of all of Clark county; and the following voting districts in Edwards county: (000010), (000020), (000040), (000050), (00006A), (00006B), (000070), (000090), (000100), (000110), (000120); and the following voting districts in Ford county: (000010), (000020), (000030), (000040); and the following blocks in voting district (00005A), tract 9620.00, block group 3, in Ford county: block 016, block 018, block 019, block 032, block 033; and the following blocks in voting district (00005A), tract 9620.00, block group 4, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 010, block 011, block 012, block 013, block 014; and the following blocks in voting district (00005A), tract 9620.00, block group 5, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031; and the following blocks in voting district (00005A), tract 9621.02, block group 1, in Ford county: block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037,

block 038, block 039; and the following voting districts in Ford county: (00005B), (00005C); and the following blocks in voting district (000060), tract 9618.02, block group 3, in Ford county: block 015; and the following blocks in voting district (000070), tract 9618.02, block group 3, in Ford county: block 030; and the following blocks in voting district (00008A), tract 9618.01, block group 3, in Ford county: block 009, block 010, block 011, block 012, block 035, block 036, block 037; and the following blocks in voting district (000100), tract 9618.01, block group 2, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035; and the following blocks in voting district (000100), tract 9618.01, block group 3, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034; and the following blocks in voting district (000190), tract 9618.02, block group 2, in Ford county: block 006, block 007, block 008, block 009, block 010, block 011, block 021; and the following blocks in voting district (000190), tract 9619.02, block group 1, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 013, block 014, block 026, block 027; and the following blocks in voting district (000190), tract 9620.00, block group 3, in Ford county: block 007, block 008, block 009, block 010, block 011, block 013, block 014; and the following blocks in voting district (000200), tract 9618.02, block group 3, in Ford county: block 013, block 014, block 016, block 017, block 018, block 020, block 026, block 027, block 028, block 029; and the following blocks in voting district (000200), tract 9621.01, block group 2, in Ford county: block 000, block 062; and the following voting districts in Ford county: (000210); and the following blocks in voting district (00021A), tract 9621.02, block group 2, in Ford county: block 039, block 042, block 043, block 044; and the following voting districts in Ford county: (000220), (000230), (000240), (000250), (00025A), (00025B), (000260), (000270), (000280); and the following blocks in voting district (000290), tract 9618.02, block group 3, in Ford county: block 006, block 007, block 031, block 032, block 043, block 045, block 049, block 050; and the following blocks in voting district (000290), tract 9621.02, block group 2, in Ford county: block 000; and the following voting districts in Ford county: (000300), (000310), (000320), (000330); and the following

blocks in voting district (190010), tract 9618.02, block group 2, in Ford county; block 032; and all of Gray county; and the following voting districts in Meade county: (000020), (000030), (000040), (000050), (000060), (000070), (000080).

Sec. 164. Representative district 116 shall consist of all of Barber county; and all of Comanche county; and all of Harper county; and all of Kiowa county; and the following voting districts in Pratt county: (00001A), (00002A), (00002B), (000030); and the following blocks in voting district (00004A), tract 9688.00, block group 2, in Pratt county: block 013; and the following blocks in voting district (00005A), tract 9687.00, block group 1, in Pratt county: block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 034, block 035, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054; and the following blocks in voting district (000070), tract 9686.00, block group 1, in Pratt county: block 018, block 019, block 020, block 021, block 022, block 056, block 057, block 058, block 059, block 113, block 114, block 115, block 116, block 117, block 220, block 221, block 222, block 223, block 224, block 225; and the following blocks in voting district (000070), tract 9686.00, block group 2, in Pratt county: block 000, block 001, block 007, block 008, block 009, block 010, block 053, block 054, block 055, block 056, block 073, block 074, block 075, block 076, block 077, block 078, block 094, block 095, block 096, block 097; and the following voting districts in Pratt county: (000080), (000090), (000100); and the following blocks in voting district (000110), tract 9686.00, block group 1, in Pratt county: block 433, block 434, block 435; and the following blocks in voting district (000110), tract 9686.00, block group 2, in Pratt county: block 220, block 221, block 321, block 322, block 323, block 324, block 328, block 340, block 341, block 342, block 343, block 344, block 345, block 346, block 347, block 348, block 351, block 359, block 360, block 361, block 362, block 363, block 364, block 365, block 366, block 367, block 368, block 369, block 370, block 371, block 372, block 373, block 374, block 375, block 376, block 377, block 378, block 379, block 381, block 422, block 423, block 424, block 425, block 426, block 427, block 428, block 438, block 439, block 440, block 441, block 442, block 443, block 444, block 445, block 446, block 447, block 448, block 449, block 452, block 455; and the following blocks in voting district (00012A), tract 9686.00, block group 1, in Pratt county: block 240, block 241; and the following blocks in voting district (00012A), tract 9686.00, block group 2, in Pratt county: block 112, block 113, block 114, block 115, block 116, block 117, block 125, block 179,

block 180, block 181, block 182, block 193, block 194, block 195, block 196, block 199, block 222, block 223, block 461, block 462; and the following blocks in voting district (00012A), tract 9687.00, block group 2, in Pratt county: block 002, block 003, block 011, block 012, block 013, block 014, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 059, block 060, block 087; and the following blocks in voting district (00012A), tract 9688.00, block group 2, in Pratt county: block 004, block 005, block 035, block 036, block 037, block 038, block 039, block 040, block 042, block 043, block 044, block 045, block 046, block 047, block 048; and the following voting districts in Pratt county: (190010); and the following voting districts in Sumner county: (000030), (000040), (000050), (000060), (000070); and the following blocks in voting district (000080), tract 9622.00, block group 2, in Sumner county: block 141; and the following blocks in voting district (000080), tract 9622.00, block group 3, in Sumner county: block 008, block 009, block 010, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 064; and the following blocks in voting district (000080), tract 9622.00, block group 4, in Sumner county: block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 055; and the following blocks in voting district (000080), tract 9622.00, block group 5, in Sumner county: block 093, block 094, block 095; and the following voting districts in Sumner county: (000090), (000100); and the following blocks in voting district (000120), tract 9622.00, block group 5, in Sumner county: block 092, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 111, block 112, block 113; and the following voting districts in Sumner county: (000210), (000260), (000290).

Sec. 165. Representative district 117 shall consist of the following blocks in voting district (000660), tract 0012.01, block group 1, in Douglas county: block 088, block 089, block 090, block 107, block 108, block 109, block 118, block 119, block 120, block 129, block 130, block 131, block 132, block 134, block 135, block 136, block 137, block 138, block 139,

block 140, block 141, block 142, block 143, block 144, block 146, block 148; and the following blocks in voting district (000660), tract 0012.02, block group 1, in Douglas county: block 087, block 094; and the following voting districts in Douglas county: (120370); and the following blocks in voting district (120380), tract 0012.01, block group 1, in Douglas county: block 015, block 016, block 029, block 030, block 031, block 032, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043; and the following blocks in voting district (120380), tract 0012.02, block group 1, in Douglas county: block 033, block 034, block 038, block 039, block 040, block 041, block 044, block 047, block 048, block 049, block 050, block 051, block 053, block 054, block 055, block 072, block 073; and the following voting districts in Douglas county: (120390); and the following blocks in voting district (120410), tract 0012.01, block group 1, in Douglas county: block 056, block 057, block 058, block 060, block 061, block 062, block 063, block 101, block 102; and the following blocks in voting district (120450), tract 0012.01, block group 1, in Douglas county: block 115, block 116, block 117, block 121, block 122, block 123, block 127, block 128; and the following blocks in voting district (180530), tract 0012.02, block group 1, in Douglas county: block 036, block 042, block 043, block 052, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071; and the following blocks in voting district (180530), tract 0012.02, block group 4, in Douglas county: block 058, block 063, block 064, block 069, block 072, block 073, block 074, block 075, block 098; and the following voting districts in Douglas county: (180540); and the following blocks in voting district (200010), tract 0010.01, block group 2, in Douglas county: block 034; and the following blocks in voting district (200010), tract 0010.02, block group 2, in Douglas county: block 018, block 019, block 020, block 021, block 049, block 050, block 051, block 052, block 061, block 062, block 065; and the following blocks in voting district (200010), tract 0012.01, block group 1, in Douglas county: block 025, block 026, block 027, block 033, block 034, block 035, block 045, block 046, block 047, block 050, block 051, block 052, block 053, block 054, block 055, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 103, block 104, block 105, block 106, block 110, block 133, block 145; and the following voting districts in Douglas county: (900020); and the following voting districts in Johnson county: (000070); and the following blocks in voting district (000080), tract 0527.01, block group 4, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block

013, block 014, block 015, block 016; and the following blocks in voting district (000080), tract 0527.02, block group 2, in Johnson county: block 004, block 010, block 026, block 027, block 028, block 029, block 032, block 116, block 117, block 118, block 119, block 120, block 121, block 123; and the following voting districts in Johnson county: (000560), (00117B), (001290); and the following blocks in voting district (003010), tract 0526.13, block group 2, in Johnson county: block 000, block 001, block 002, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013; and the following blocks in voting district (003010), tract 0526.13, block group 3, in Johnson county: block 003, block 004, block 009, block 010; and the following voting districts in Johnson county: (004070), (190010); and the following blocks in voting district (900040), tract 0527.01, block group 1, in Johnson county: block 001, block 003, block 004, block 005, block 007, block 008, block 015, block 016, block 019, block 020; and the following blocks in voting district (900040), tract 0527.01, block group 3, in Johnson county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015; and the following blocks in voting district (900040), tract 0527.01, block group 5, in Johnson county: block 000, block 002, block 003, block 004, block 005, block 037, block 039, block 040; and the following voting districts in Johnson county: (900060), (900730); and the following blocks in voting district (901370), tract 0526.04, block group 1, in Johnson county: block 002, block 003, block 007, block 008, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022; and the following blocks in voting district (901370), tract 0526.07, block group 2, in Johnson county: block 017, block 018; and the following blocks in voting district (901420), tract 0526.11, block group 2, in Johnson county: block 000, block 001, block 002, block 004, block 007; and the following voting districts in Johnson county: (901910), (901930); and the following blocks in voting district (901940), tract 0527.01, block group 1, in Johnson county: block 000, block 006, block 010, block 011, block 013; and the following blocks in voting district (901940), tract 0527.01, block group 2, in Johnson county: block 000, block 001, block 002, block 006, block 007, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 044, block 045; and the following blocks in voting district (901940), tract 0527.02, block group 2, in Johnson county: block 005, block 006, block 007, block 009, block 030, block 031, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 045, block 057, block 058, block 114, block 115; and the following voting districts in Johnson county: (920930), (921020), (921030); and the

following blocks in voting district (921040), tract 0526.04, block group 1, in Johnson county: block 004, block 005, block 009, block 010, block 023, block 024, block 025, block 026, block 027; and the following blocks in voting district (921040), tract 0526.11, block group 2, in Johnson county: block 014; and the following blocks in voting district (921050), tract 0526.09, block group 3, in Johnson county: block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 032, block 033, block 034.

Sec. 166. Representative district 118 shall consist of all of Gove county; and all of Greeley county; and all of Lane county; and all of Logan county; and all of Ness county; and all of Scott county; and all of Sheridan county; and all of Trego county; and all of Wichita county.

Sec. 167. Representative district 119 shall consist of the following blocks in voting district (00005A), tract 9620.00, block group 3, in Ford county: block 030; and the following blocks in voting district (00005A), tract 9621.01, block group 3, in Ford county: block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051; and the following blocks in voting district (00005A), tract 9621.02, block group 1, in Ford county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 044; and the following blocks in voting district (00005A), tract 9621.02, block group 2, in Ford county: block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 045, block 057, block 058; and the following blocks in voting district (000060), tract 9618.02, block group 3, in Ford county: block 034, block 046; and the following blocks in voting district (000060), tract 9619.01, block group 3, in Ford county: block 045; and the following blocks in voting district (000060), tract 9620.00, block group 1, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033; and the following blocks in voting district (000060), tract 9620.00, block group 2, in Ford county: block 000, block 001, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031; and the following blocks in voting district (000060), tract 9620.00, block group 3, in Ford

county: block 031; and the following blocks in voting district (000060), tract 9621.01, block group 1, in Ford county: block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099; and the following blocks in voting district (000060), tract 9621.01, block group 2, in Ford county: block 059, block 060, block 061, block 063, block 064, block 065; and the following blocks in voting district (000060), tract 9621.01, block group 3, in Ford county: block 000, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020; and the following blocks in voting district (000060), tract 9621.02, block group 2, in Ford county: block 016, block 017, block 019; and the following blocks in voting district (000070), tract 9618.01, block group 1, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057; and the following blocks in voting district (000070), tract 9618.01, block group 4, in Ford county: block 000, block 001, block 006, block 007, block 008, block 009, block 014, block 015, block 016, block 017, block 018, block 019, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030; and the following blocks in voting district (000070), tract 9618.02, block group 3, in Ford county: block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058; and the following blocks in voting district (000070), tract 9621.01, block group 1, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 026, block 027, block

028, block 029, block 030, block 031, block 032, block 033, block 074, block 075, block 076, block 077, block 078, block 079, block 089, block 090, block 091; and the following blocks in voting district (000070), tract 9621.01, block group 2, in Ford county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 066, block 067, block 068; and the following blocks in voting district (00008A), tract 9618.01, block group 4, in Ford county: block 002, block 003, block 004, block 005, block 010, block 011, block 012, block 013, block 020, block 021, block 022, block 031; and the following blocks in voting district (00008A), tract 9619.01, block group 1, in Ford county: block 000, block 001, block 002, block 012, block 013, block 014, block 015, block 016, block 023; and the following blocks in voting district (00008A), tract 9619.01, block group 2, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078; and the following blocks in voting district (00008A), tract 9619.01, block group 3, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044; and the following blocks in voting district (00008A), tract 9619.02, block group 2, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 009, block 010,

block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025; and the following blocks in voting district (00008A), tract 9619.02, block group 3, in Ford county: block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 045; and the following voting districts in Ford county: (00008B), (00008C), (00008D), (000090); and the following blocks in voting district (000100), tract 9618.02, block group 1, in Ford county: block 000, block 005, block 011, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033; and the following blocks in voting district (000100), tract 9618.02, block group 2, in Ford county: block 023, block 025, block 026, block 030, block 031; and the following blocks in voting district (000100), tract 9619.02, block group 3, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 044; and the following blocks in voting district (000190), tract 9618.02, block group 2, in Ford county: block 022, block 024; and the following voting districts in Ford county: (00019A), (00019B); and the following blocks in voting district (000200), tract 9618.02, block group 3, in Ford county: block 047, block 048; and the following blocks in voting district (000200), tract 9621.01, block group 3, in Ford county: block 038, block 039; and the following blocks in voting district (000200), tract 9621.02, block group 2, in Ford county: block 015, block 018, block 020, block 021; and the following blocks in voting district (00021A), tract 9621.02, block group 2, in Ford county: block 047, block 048, block 049, block 050, block 051; and the following blocks in voting district (000290), tract 9618.02, block group 3, in Ford county: block 044, block 059; and the following blocks in voting district (000290), tract 9621.02, block group 2, in Ford county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008; and the following voting districts in Ford county: (00029A); and the following blocks in voting district (190010), tract 9618.02, block group 2, in Ford county: block 027; and the following voting districts in Ford county: (600010), (800010), (800020), (800030), (800040), (800050).

Sec. 168. Representative district 120 shall consist of all of Cheyenne county; and all of Decatur county; and all of Rawlins county; and all of Sherman county; and all of Thomas county; and all of Wallace county.

Sec. 169. Representative district 121 shall consist of the following blocks in voting district (000080), tract 0527.02, block group 2, in Johnson

county: block 000, block 001, block 002, block 003, block 013; and the following blocks in voting district (001130), tract 0536.04, block group 4, in Johnson county: block 003, block 004, block 005, block 006, block 007, block 013, block 014, block 015; and the following blocks in voting district (001160), tract 0528.03, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016; and the following blocks in voting district (001160), tract 0535.55, block group 1, in Johnson county: block 003, block 004, block 005, block 006, block 007, block 008, block 009; and the following blocks in voting district (00117A), tract 0527.02, block group 1, in Johnson county: block 016; and the following blocks in voting district (00117A), tract 0528.04, block group 3, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 014, block 015; and the following blocks in voting district (00117A), tract 0528.05, block group 2, in Johnson county: block 000; and the following voting districts in Johnson county: (001200), (001210), (001220), (00153J), (00153K), (004080), (004090), (004100); and the following blocks in voting district (004180), tract 0528.05, block group 4, in Johnson county: block 000, block 001; and the following blocks in voting district (900040), tract 0527.02, block group 1, in Johnson county: block 000, block 002, block 003, block 004, block 006, block 007, block 011, block 015, block 030; and the following blocks in voting district (900040), tract 0527.02, block group 2, in Johnson county: block 016, block 018, block 019, block 124; and the following voting districts in Johnson county: (900050); and the following blocks in voting district (900090), tract 0537.11, block group 3, in Johnson county: block 004, block 006; and the following voting districts in Johnson county: (900640), (900680); and the following blocks in voting district (901810), tract 0536.03, block group 3, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 011, block 012, block 013, block 014, block 015, block 019, block 020, block 022, block 023, block 024, block 025, block 026, block 027; and the following blocks in voting district (901810), tract 0537.11, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 017, block 018, block 019, block 020, block 021; and the following blocks in voting district (901940), tract 0527.02, block group 1, in Johnson county: block 001, block 005, block 014, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029; and the following blocks in voting district (901940), tract 0527.02, block group 2, in Johnson county: block 011, block 012, block 014, block

015, block 017, block 020, block 021, block 022, block 023, block 024, block 025, block 043, block 044, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 122; and the following blocks in voting district (901950), tract 0537.11, block group 3, in Johnson county: block 000, block 001, block 002, block 003, block 005; and the following blocks in voting district (920460), tract 0537.01, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 011, block 012, block 013, block 014, block 015; and the following blocks in voting district (920670), tract 0528.05, block group 2, in Johnson county: block 001, block 006, block 009, block 010, block 011, block 016, block 017, block 018, block 019, block 020; and the following blocks in voting district (920670), tract 0528.05, block group 3, in Johnson county: block 003; and the following blocks in voting district (920670), tract 0528.05, block group 4, in Johnson county: block 012; and the following blocks in voting district (920760), tract 0537.11, block group 1, in Johnson county: block 015, block 016.

Sec. 170. Representative district 122 shall consist of the following voting districts in Edwards county: (000030), (000080); and the following voting districts in Finney county: (000010); and the following blocks in voting district (000030), tract 9602.00, block group 5, in Finney county: block 036, block 037, block 038, block 039, block 040, block 041, block 042; and the following blocks in voting district (000030), tract 9603.00, block group 2, in Finney county: block 006, block 007, block 022, block 023, block 024, block 025; and the following blocks in voting district (000030), tract 9606.00, block group 1, in Finney county: block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053; and the following blocks in voting district (000030), tract 9606.00, block group 2, in Finney county: block 000, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (000030), tract 9606.00, block group 3, in Finney county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 017, block 018; and the following blocks in voting district (000030), tract 9606.00, block group 4, in Finney county: block 006, block 007, block 008, block 009, block 010, block 052; and the following voting districts in Finney county: (000190), (000200), (000220), (000250), (000260), (000280); and the following blocks in

voting district (180050), tract 9605.03, block group 1, in Finney county: block 007; and the following blocks in voting district (180050), tract 9605.05, block group 1, in Finney county: block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077; and the following blocks in voting district (180050), tract 9606.00, block group 4, in Finney county: block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 040, block 041, block 042; and the following voting districts in Finney county: (180060), (180070); and the following blocks in voting district (180080), tract 9605.08, block group 1, in Finney county: block 011, block 012, block 013, block 014, block 016, block 017; and the following blocks in voting district (180080), tract 9605.08, block group 2, in Finney county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 030, block 031, block 032, block 033, block 034, block 035; and the following blocks in voting district (180090), tract 9605.01, block group 1, in Finney county: block 009, block 010, block 011, block 013; and the following voting districts in Finney county: (180130); and the following blocks in voting district (180140), tract 9601.00, block group 1, in Finney county: block 228, block 229, block 312, block 313, block 314, block 414, block 415, block 416, block 421, block 424, block 425, block 426, block 431, block 432; and the following blocks in voting district (180140), tract 9602.00, block group 1, in Finney county: block 000, block 020, block 021, block 022, block 023, block 024, block 025, block 032; and the following blocks in voting district (180140), tract 9604.04, block group 2, in Finney county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 016; and the following blocks in voting district (180140), tract 9605.01, block group 1, in Finney county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040; and the following voting districts in Finney county: (180170); and the following blocks in voting district (180210), tract 9605.01, block group 2, in Finney county: block 000, block 001, block 002, block 003, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block

032, block 033, block 034, block 035, block 036, block 037; and the following blocks in voting district (180210), tract 9605.03, block group 1, in Finney county: block 000, block 001, block 004, block 006; and the following voting districts in Finney county: (180220), (180230), (180250), (180260), (190110), (190120), (300010), (300020); and all of Hodgeman county; and all of Kearny county; and the following voting districts in Pawnee county: (000040), (000060), (000140), (000150), (000160), (000180), (000210), (000220), (120020), (120030), (120040), (120050).

Sec. 171. Representative district 123 shall consist of the following blocks in voting district (000030), tract 9603.00, block group 2, in Finney county: block 041, block 042; and the following blocks in voting district (000030), tract 9606.00, block group 3, in Finney county: block 019, block 022, block 023, block 024, block 025; and the following voting districts in Finney county: (000040), (000060), (000080), (000100), (000110), (000120), (000130), (000140), (000170), (180010), (180020), (180030), (180040); and the following blocks in voting district (180050), tract 9605.05, block group 1, in Finney county: block 038, block 039, block 040, block 041, block 042, block 053; and the following blocks in voting district (180050), tract 9605.07, block group 2, in Finney county: block 013, block 014, block 015, block 016, block 017, block 018, block 021; and the following blocks in voting district (180050), tract 9606.00, block group 2, in Finney county: block 019, block 020, block 021, block 022; and the following blocks in voting district (180050), tract 9606.00, block group 3, in Finney county: block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 020, block 021, block 026, block 027, block 028; and the following blocks in voting district (180050), tract 9606.00, block group 4, in Finney county: block 000, block 001, block 002, block 003, block 004, block 005, block 014, block 015; and the following blocks in voting district (180080), tract 9605.07, block group 1, in Finney county: block 000, block 001, block 006, block 007; and the following blocks in voting district (180080), tract 9605.07, block group 2, in Finney county: block 000, block 001, block 002, block 003, block 004, block 009, block 010, block 011, block 012, block 019, block 020; and the following blocks in voting district (180080), tract 9605.08, block group 1, in Finney county: block 002, block 003, block 004, block 008, block 009, block 010, block 018, block 019, block 020; and the following blocks in voting district (180080), tract 9605.08, block group 2, in Finney county: block 023, block 024, block 025, block 029; and the following blocks in voting district (180090), tract 9605.01, block group 1, in Finney county: block 022, block 023, block 024, block 026, block 042; and the following blocks in voting district (180090), tract 9605.08, block group 1, in Finney county: block 000, block 001, block 005, block 006; and the following voting districts in Finney county: (180100), (180110), (180120); and the following blocks in

voting district (180140), tract 9602.00, block group 1, in Finney county: block 030, block 031, block 035, block 037; and the following blocks in voting district (180140), tract 9604.04, block group 2, in Finney county: block 015, block 017, block 018, block 029; and the following blocks in voting district (180140), tract 9605.01, block group 1, in Finney county: block 014; and the following voting districts in Finney county: (180150), (180160), (180180), (180190), (180200); and the following blocks in voting district (180210), tract 9605.01, block group 2, in Finney county: block 007; and the following blocks in voting district (180210), tract 9605.07, block group 2, in Finney county: block 024; and the following voting districts in Finney county: (180240), (190010), (190020), (190030), (190040), (190050), (190060), (190070), (190080), (190090), (190100), (190130), (190140), (190150), (200020).

Sec. 172. Representative district 124 shall consist of all of Grant county; and all of Hamilton county; and all of Haskell county; and all of Morton county; and all of Stanton county; and all of Stevens county.

Sec. 173. Representative district 125 shall consist of the following voting districts in Meade county: (000010), (000090); and all of Seward county.

Sec. 174. In accordance with section 3 of article 6 of the constitution of the state of Kansas, the state of Kansas is divided into 10 single-member state board of education districts.

Sec. 175. The senatorial districts referred to in sections 177 through 186 are those senatorial districts established by sections 5 through 44.

Sec. 176. The provisions of this act shall not affect the term of any member of the state board of education elected to represent a district at the general election of 2020 or the term of any successor to such member serving for an unexpired term. All such members shall continue to serve the districts from which elected until such members elected from the districts established by this act commence their terms of office in January of 2025.

Sec. 177. State board of education member district one shall consist of senatorial districts 1, 5, 18 and 22.

Sec. 178. State board of education member district two shall consist of senatorial districts 4, 6, 7 and 8.

Sec. 179. State board of education member district three shall consist of senatorial districts 11, 23, 35 and 37.

Sec. 180. State board of education member district four shall consist of senatorial districts 3, 9, 10 and 21.

Sec. 181. State board of education member district five shall consist of senatorial districts 36, 38, 39 and 40.

Sec. 182. State board of education member district six shall consist of senatorial districts 2, 17, 19 and 20.

Sec. 183. State board of education member district seven shall consist of senatorial districts 24, 31, 33 and 34.

Sec. 184. State board of education member district eight shall consist of senatorial districts 25, 28, 29 and 30.

Sec. 185. State board of education member district nine shall consist of senatorial districts 12, 13, 14 and 15.

Sec. 186. State board of education member district ten shall consist of senatorial districts 16, 26, 27 and 32.

Sec. 187. K.S.A. 2021 Supp. 4-3,731, 4-3,733, 4-3,859, 4-4,451, 4-4,453, 4-4,494, 4-514 and 4-526 are hereby repealed.

Sec. 188. This act shall take effect and be in force from and after its publication in the Kansas register.

Approved April 15, 2022.

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